

Kings County Sheriff's Office

Kings County SO Custody Manual

MISSION

The Kings County Sheriff's Office is dedicated to providing the finest quality Law Enforcement and Correctional services. To ensure a tranquil quality of life, We stand unified, determined to protect and safeguard human rights. We shall provide top quality, responsive, efficient law enforcement services. This commitment of excellence is a sacred trust. Working in partnership with our communities is our MISSION! Together, we cannot fail!

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PHILOSOPHY AND GOALS

Preamble The Kings County Sheriff's Office expects of its members unfailing honesty, respect for the dignity and individuality of human beings and a commitment to professional and compassionate service. To this end, we subscribe to the following principles. Members shall respect and protect the civil and legal rights of all individuals. Members shall treat every professional situation with concern for the welfare of the individuals involved and with no intent to personal gain. Members shall maintain relationships with colleagues to promote mutual respect within the profession and improve the quality of service. Members shall make public criticism of their colleagues or their agencies only when warranted, verifiable, and constructive. Members shall respect the importance of all disciplines within the criminal justice system and work to improve cooperation with each segment. Members shall honor the public's right to information and share information with the public to the extent permitted by law subject to individuals' right to privacy. Members shall respect and protect the right of the public to be safe guarded from criminal activity. Members shall refrain from using their positions to secure personal privileges or advantages. Members shall refrain from allowing personal interest to impair objectivity in the performance of duty while acting in an official capacity. Members shall refrain from entering into any formal or informal activity or agreement which presents a conflict of interest or is inconsistent with the conscientious performance of duties. Members shall refrain from accepting any gifts, services, or favors that is or appears to be improper or implies an obligation inconsistent with the free and objective exercise of professional duties. Members shall clearly differentiate between personal views/statements and views/statements/positions made on behalf of the agency or Association. Members shall report to appropriate authorities any corrupt or unethical behaviors in which there is sufficient evidence to justify review. Members shall refrain from discriminating against any individual because of race, gender, creed, national origin, religious affiliation, age, disability, or any other type of prohibited discrimination. Members shall preserve the integrity of private information; they shall refrain from seeking information on individuals beyond that which is necessary to implement responsibilities and perform their duties; members shall refrain from revealing non-public information unless expressly authorized to do so. Members shall make all appointments, promotions, and dismissals in accordance with established civil service rules, applicable contract agreements, and individual merit, rather than furtherance of personal interests. Members shall respect, promote, and contribute to a workplace that is safe, healthy, and free of harassment in any form.

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PHILOSOPHY AND GOALS

(Agency Philosophy and Goals statement)

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CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

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Chapter 1 - Role and Authority

Organizational Structure and Responsibility

100.1 PURPOSE AND SCOPE

The organizational structure of the Office is designed to create an efficient means to accomplish its mission and goals and to provide for the best possible service to the public (15 CCR 1029(a)(1)).

100.2 DIVISIONAL RESPONSIBILITY

The Sheriff is responsible for administering and managing the Office.

100.2.1 JAIL DIVISION

The Kings County Jail Division is commanded by a Detention Commander and three Detentions Lieutenants, whose primary responsibilities are to provide general management direction and control for Officer Training, SERT Team, Classifications, Chaplain, Inmate Programs, Background Investigations, Booking, Medical/Mental Health Services, Investigative Services and K9 Unit, Quality Assurance, Alternative Sentencing, Transportation and Food Services (Title 15 CCR § 1029(a)(1)).

The Kings County Jail has three Detentions Lieutenants. The responsibilities of the Detentions Lieutenants are determined by the Detentions Commander and are subject to change.

100.3 CHAIN OF COMMAND

The chain of command of the Office begins with the Sheriff, to whom all employees of the Office are responsible.

To maintain continuity, order and effectiveness in the Office, a chain of command has been established and should be respected. All staff members should adhere to the chain of command in all official actions. However, nothing shall prohibit a staff member from initiating immediate action outside of the chain of command if it is necessitated by a complaint of discrimination, sexual harassment, gross malfeasance or a violation of the law.

Authority and Legal Assistance

101.1 PURPOSE AND SCOPE

This policy acknowledges and reflects the legal authority under which the Kings County Sheriff's Office shall operate and maintain a local detention facility in this state. In addition to the authority vested by state law, the jail operates in accordance with these laws, constitutional mandates, regulations and local ordinances.

101.2 POLICY

It is the policy of this Office that the local detention facility will be maintained by all lawful means for the incarceration of persons suspected of violating the law or who have been adjudicated as guilty of committing a crime or civil offense by a competent legal authority, as prescribed by law.

101.3 LEGAL FOUNDATION

Jail staff, at every level must have an understanding and true appreciation of their authority and limitations in the operation of a local detention facility. The Kings County Sheriff's Office recognizes and respects the value of all human life and the expectation of dignity without prejudice toward anyone. It is also understood that vesting law enforcement personnel with the authority to incarcerate suspected law violators to protect the public and prevent individuals from fleeing justice requires a careful balancing of individual rights and legitimate government interests.

101.4 LEGAL ASSISTANCE

The following are examples of areas where the services of the County Counsel and legal specialists can be of benefit to the Office:

- (a) Analyze and alert the jail executive and jail management team to jail-related case law.
- (b) Serve as a legal consultant in the construction and review of new jail policies and procedures.
- (c) Serve as a legal consultant on issues related, but not limited to:
 - 1. Use of force
 - 2. Faith-based requests
 - 3. Complaints and grievances
 - 4. Allegations of abuse by staff
- (d) Serve as legal counsel in legal matters brought against this office and the Sheriff.

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Authority and Legal Assistance

101.5 INITIATING CONTACT WITH COUNTY COUNSEL

The Assistant Sheriff or Jail Commander may initiate contact with the Deputy County Counsel assigned to the Sheriff's Office for the purpose of obtaining legal advice for the jail. This contact may occur formally or informally. Other jail staff who identify a need for legal assistance for the jail shall request this contact through the Assistant Sheriff or Jail Commander.

Annual Review and Performance-Based Goals and Objectives

102.1 PURPOSE AND SCOPE

The Kings County Sheriff's Office is dedicated to the concept of continuous improvement in the services provided on behalf of the public and in accordance with applicable laws, regulations and best practices in the operation of this facility. This policy establishes minimum review criteria to measure and evaluate the success of achieving established goals and objectives.

102.2 POLICY

The Kings County Sheriff's Office shall strive to continually improve the operation of its facilities to ensure they are safe, humane, and protect inmates' constitutional and statutory rights. To this end, the Office shall conduct an annual review to evaluate its progress in meeting stated goals and objectives.

102.3 ANNUAL REVIEW

The Jail Commander should ensure that the custody management team conducts an annual management review of, at a minimum:

- (a) Statutory, regulatory, and other requirements applicable to the operation of the facility.
- (b) Lawsuits and/or court orders/consent decrees.
- (c) Office policies, procedures, directives, and post orders that guide the operation of the facility.
- (d) Fiscal operations and accounting procedures.
- (e) Personnel issues/actions that include but are not limited to on-the-job injuries, internal affairs investigations, employee grievances, employee discipline, selection, and recruitment.
- (f) Compliance with internal/external inspections of the facility.
- (g) Condition of the physical plant, infrastructure, and maintenance efforts.
- (h) Cleanliness of the facility.
- (i) Inmate profiles and trends that measure:
 - 1. Inmate population (Average Daily Population).
 - 2. Inmate population by gender.
 - 3. Highest one-day count.
 - 4. Bookings/releases.
 - 5. Percentage of male inmates.
 - 6. Percentage of female inmates.

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Annual Review and Performance-Based Goals and Objectives

7. Juveniles in custody.
 8. Felony inmates in custody.
 9. Misdemeanor inmates in custody.
 10. Pretrial population.
 11. Sentenced population.
 12. Medical beds.
 13. Mental health beds.
 14. Meal counts (regular, medical, court meals).
 15. Early releases.
 16. Alternative-to-incarceration participants.
 17. Special needs inmates.
 18. Classification issues.
 19. Inmate grievances (founded/denied).
 20. Demographics (age, race, gang affiliation).
 21. Court movement.
- (j) Security issues that include:
1. Inmate-on-inmate assaults.
 2. Inmate-on-staff assaults.
 3. Major disturbances.
 4. Deaths in custody (natural/suicide/homicide/accidents).
 5. Suicide attempts (15 CCR 1030).
- (k) Inmate programs including:
1. Education.
 2. Commissary.
 3. Drug and alcohol programs.
 4. Faith-based services.

102.4 MANAGEMENT REVIEW PROCESS

The management team may employ several methods to assess performance, including the following:

- (a) **Performance analysis** - Performance analysis attempts to discover discrepancies between the expected and actual levels of performance. This analysis should focus on whether the practices in this facility are meeting the mission of the Office and whether

Annual Review and Performance-Based Goals and Objectives

office policies and procedures are in alignment with statutes, regulations and court orders.

- (b) **One-to-one interviews** - Scheduled interviews with custody staff held in private to encourage candid responses to help identify issues or conditions that should be targeted for review or correction.
- (c) **Questionnaires** - Questionnaires should be used as a group method to solicit suggestions and information about what operations are in need of adjustment or where program resources should be directed.
- (d) **Staff debriefing** - Staff should be periodically debriefed, especially after an emergency operation or incident, to identify aspects of facility operations that may need to be addressed by the Jail Commander and supervisors.
- (e) **Inspection findings** - The Office is subject to a variety of administrative inspections (standard-setting authorities, command staff, grand jury, jail advocates). These annual inspections should be used to identify ongoing issues in the operation of this facility.

102.5 MANAGEMENT REVIEW RESULTS

To the extent practicable the individuals responsible for the development of a management review should follow the guidelines established in the Administrative Communications Policy and Annual Facility Inspection Policy to document and support the findings. A complete report of the review results should be submitted to the appropriate level in the chain of command for final approval.

The results of management reviews should be used in the ongoing process of continuous improvement. They should be used to direct changes in the operation of this facility or to identify successful operations that might be replicated in other areas of the facility. They should not, however, include specific identifying information of incidents or involved individuals.

The results of management reviews also may be used in full or in part to respond to inquiries from interested groups, such as the local legislative body, courts, grand jury or others, to provide information on issues concerning the operation of this facility, including action planning whenever appropriate.

Custody Manual

103.1 PURPOSE AND SCOPE

The Custody Manual is a statement of the current policies, rules, and guidelines of this office's jail. All prior and existing manuals, orders, and regulations which are in conflict with this manual are revoked, except to the extent that portions of existing manuals, orders, and other regulations which have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

Except where otherwise expressly stated, the provisions of this manual shall be considered guidelines. It is recognized, however, that work in the custody environment is not always predictable and circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this office under the circumstances reasonably known to them at the time of any incident.

103.2 POLICY

The manual of the Kings County Sheriff's Office Jail is hereby established and shall be referred to as the Custody Manual (15 CCR 1029). All members are to conform to the provisions of this manual.

103.2.1 DISCLAIMER

The provisions contained in the Custody Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Kings County Sheriff's Office and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the county, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for office administrative action, training or discipline. The Kings County Sheriff's Office reserves the right to revise any policy content, in whole or in part.

103.3 RESPONSIBILITIES

The Sheriff shall be considered the ultimate authority for the provisions of this manual and shall continue to issue Memorandum, which shall modify the provisions to which they pertain. Memorandum shall remain in effect until such time as they may be permanently incorporated into the manual.

The Jail Commander shall ensure that the Custody Manual is comprehensively reviewed at least every two years, updated as needed and the staff trained accordingly to ensure that the policies in the manual are current and reflect the mission of the Kings County Sheriff's Office (15 CCR 1029). The review shall be documented in written form sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

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103.3.1 POST ORDERS

The Jail Commanders shall ensure that there are written orders for every security post. These orders shall be reviewed at least annually and updated if necessary by the Jail Commanders or the authorized designee.

103.3.2 COMMAND STAFF

The command staff should consist of the following:

- Sheriff
- Assistant Sheriff
- Jail Commanders

The command staff shall review all recommendations regarding proposed changes to the manual.

103.3.3 OTHER PERSONNEL

Line and supervisory staff have a unique view of how policies and procedures influence the operation of the facility and therefore are expected to bring to the attention of their supervisors issues that might be addressed in a new or revised policy.

All members suggesting revision of the contents of the Custody Manual should forward their suggestion in writing, through the chain of command, to the Jail Commander who will consider the recommendation.

103.3.4 INTERNAL AND EXTERNAL SECURITY MEASURE REVIEW

The Jail Commander shall ensure that Custody Manual review, evaluation, and procedures include internal and external security measures of the facility, including security measures specific to prevention of sexual abuse and sexual harassment (15 CCR 1029).

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

Office - The Kings County Sheriff's Office.

Custody Manual - The Office Custody Manual.

Employee - Any person employed by the Office.

Juvenile - Any person under the age of 18.

May - Indicates a permissive, discretionary, or conditional action.

Member - Any person employed or appointed by the Kings County Sheriff's Office, including:

- Full- and part-time employees.
- Sworn deputies.

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- Reserve deputies.
- Non-sworn employees.
- Volunteers.
- Contractors.

Deputy - All persons, regardless of rank, who are employees and who are selected and trained in accordance with state law as deputies of the Kings County Sheriff's Office.

On-duty employee - Status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The job classification title held by a deputy.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action absent a rational basis for failing to conform.

103.5 DISTRIBUTION OF MANUAL

An electronic version of the Custody Manual will be made available to all employees at officeLexipol.com. (15 CCR 1029).

No changes shall be made to the electronic version without authorization from the Jail Commander.

103.6 MANUAL ACCEPTANCE

As a condition of employment, all members are required to read and obtain necessary clarification of this office's policies. All members are required to sign a statement of receipt acknowledging that they have received a copy or have been provided access to the Custody Manual, and understand that they are responsible to read, understand and act in accordance with and become familiar with it's contents.

103.7 REVISIONS TO POLICIES

All members are responsible for keeping abreast of all Custody Manual revisions. The Administrative Sergeant will forward revisions to the Custody Manual as needed to all personnel via electronic mail. Each member shall acknowledge receipt via Lexipol on line acknowledgement, review the revisions and seek clarification as needed.

Each supervisor will ensure that members under his/her command are familiar with and understand all revisions.

Administrative Communications

104.1 PURPOSE AND SCOPE

Effective communications within the Office are critical to the accomplishment of the mission of the Office and the effective operation of the jail. Administrative communications of this office are governed by the following policy (15 CCR 1029(a)(1)).

104.2 PERSONNEL ORDERS

Personnel orders may be issued periodically by the Sheriff to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations or other changes in status.

104.3 CORRESPONDENCE

All office correspondence is to be written in a clear, concise manner, consistent with the report formats and guidelines prescribed in this policy and reflecting the highest possible quality in organization, grammar, punctuation and spelling.

All external correspondence shall be on Office letterhead. All office letterhead, including all digital facsimiles of the letterhead, shall bear the signature element of the Sheriff or the authorized designee. Personnel should use office letterhead only for official business and with the approval of their supervisors.

104.4 POLICY

The Kings County Sheriff's Office will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

Memorandums

105.1 PURPOSE AND SCOPE

Memorandums establish a communication practice that may be used by the Sheriff to make immediate changes to policy and procedure in accordance with and as permitted by statutes, regulations or negotiated contracts. Memorandums will immediately modify or change and supersede the sections of this manual to which they pertain.

105.2 MEMORANDUM PROTOCOL

Memorandums will be incorporated into the manual as required upon approval of the Sheriff. Memorandums will modify existing policies or create a new policy as appropriate. The previous policy will be rescinded upon incorporation of the new or updated policy into the manual.

Any Memorandum issued after publication of the manual should be numbered consecutively, starting with the last two digits of the year, followed by the number "01" as in yy-01.

105.3 RESPONSIBILITIES

105.3.1 SHERIFF

The Sheriff, with the assistance of office staff, shall issue and be responsible for all Memorandums, including their publication and dissemination throughout the Office.

105.3.2 MANAGERS AND SUPERVISORS

Managers and supervisors are responsible for ensuring that staff under their command receive training on all new Memorandums.

Training documentation shall be placed into the supervisor's file or the employee's training file.

Standards of Conduct

106.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Kings County Sheriff's Office and are expected of all office members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this office or a member's supervisors.

106.2 POLICY

The continued employment or appointment of every member of this office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

106.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any office supervisor or person in a position of authority, absent a reasonable and bona fide justification.

106.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or office policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, office policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

Standards of Conduct

106.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation or exhibiting indifference to such a violation.
- (d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

106.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

106.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

106.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or County manual.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

Standards of Conduct

106.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Kings County Sheriff's Office in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

106.5.3 DISCRIMINATION, OPPRESSION AND FAVORITISM

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

106.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

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106.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

106.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this department. Members of this department shall not disclose the name, address or image of any victim of human trafficking except as authorized by law (Penal Code § 293).
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Sheriff or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Kings County Sheriff's Office badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.
- (f) Divulging home telephone numbers, addresses, e-mail addresses, work schedules or other confidential data regarding themselves or other employees to current inmates, former inmates or their families or the general public.

106.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address, contact telephone numbers or marital status.

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106.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of a deputy official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or, on department property except as expressly authorized by County policy, the memorandum of understanding, or the Sheriff.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by County policy, the memorandum of understanding, or the Sheriff.
- (i) Any act on- or off-duty that brings discredit to this department.
- (j) Careless workmanship resulting in spoilage or waste of materials or work of an unacceptable nature as applicable to the nature of the work assigned.
- (k) Failure to take reasonable action while on-duty and when required by law, statute, resolution or approved office practices or procedures.

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106.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the County.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any memorandum of understanding or contract to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Sheriff of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.
- (n) Seeking restraining orders against individuals encountered in the line of duty without the express permission of the Sheriff.
- (o) Conviction or civil administrative adjudication for engaging or attempting to engage in sexual activity that was facilitated by force, overt or implied threats of force, coercion, or if the victim did not consent or was unable to consent or refuse (28 CFR 115.17).
- (p) Accepting gifts of any value or favors from current or former inmates or their families. Attempts on the part of a current inmate, former inmate or his/her family to send gifts or offer favors to employees or their families must be immediately reported to the employee's supervisor.

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- (q) Allowing contraband articles, including, but not limited to, weapons, clothing, food, illegal drugs, or tobacco in any jail facility.
- (r) Receiving from an inmate any articles to deliver outside the facility.
- (s) Failure of any member to promptly and fully report any legal spouse or registered domestic partner; natural, adoptive, step or foster parents; grandparents; natural, step, or foster brothers or sisters; natural, adoptive, step children or grandchildren, or any person residing at the member's primary residence, who is known or suspected to be involved with any street or prison gang, or other groups engaging in criminal activity, or who are on probation from any county or on parole from any state.

106.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off- duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic collision.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

106.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

106.6 INVESTIGATION OF DISCIPLINARY ALLEGATIONS

Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with Personnel Complaint Procedure Policy Manual § 1010. Pursuant to Government Code §§ 3304(d) and 3508.1, the investigation should be completed within one year of the

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discovery of the allegation unless such investigation falls within one of the exceptions delineated within those provisions.

106.7 WRITTEN REPRIMANDS

Refer to your respective Bargaining Unit MOU.

106.8 ASSISTANT SHERIFF'S RESPONSIBILITY

Upon receipt of any completed personnel investigation, the Assistant Sheriff of the involved employee shall review the entire investigative file, the employee's personnel file and any other relevant materials.

The respective Assistant Sheriff may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

- (a) Prior to forwarding recommendations to the Sheriff, the Assistant Sheriff may return the entire investigation to the assigned Investigator for further investigation or action.
- (b) When forwarding any written recommendation to the Sheriff, the Assistant Sheriff shall include all relevant materials supporting the recommendation. Actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference.

106.9 RESPONSIBILITIES OF THE SHERIFF

Upon receipt of any written recommendation for disciplinary action, the Sheriff shall review the recommendation and all accompanying materials.

The Sheriff may modify any recommendation and/or may return the file for further investigation or action.

Once the Sheriff is satisfied that no further investigation or action is required by staff, the Sheriff shall determine the amount of discipline, if any, to be issued.

In the event disciplinary action is issued, the Sheriff shall provide the employee with written Skelly notice of the following information within one year of the date of the discovery of the alleged misconduct (absent an exception set forth in Government Code § 3304(d) or Government Code § 3508.1)

- (a) Specific charges set forth in separate counts, describing the conduct underlying each count.
- (b) A separate recommendation of proposed discipline for each charge.
- (c) A statement that the employee has been provided with or given access to all of the materials considered by the Sheriff in recommending the proposed discipline.
- (d) An opportunity to respond orally or in writing to the Sheriff within five days of receiving the Skelly notice.
 - 1. Upon a showing of good cause by the employee, the Sheriff may grant a reasonable extension of time for the employee to respond.

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2. If the employee elects to respond orally, the presentation shall be recorded by the Department. Upon request, the employee shall be provided with a copy of the recording.

106.10 EMPLOYEE RESPONSE

The Skelly process is intended to provide the accused employee with an opportunity to present a written or oral response to the Sheriff after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) This Skelly response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the Skelly response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Sheriff to consider.
- (d) In the event that the Sheriff elects to cause further investigation to be conducted, the employee shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Sheriff on the limited issues of information raised in any subsequent materials.
- (f) Once the employee has completed his/her Skelly response or, if the employee has elected to waive any such response, the Sheriff shall consider all information received in regard to the recommended discipline. Once the Sheriff determines that discipline will be imposed, a timely written decision shall be provided to the employee within 30 days, imposing, modifying or rejecting the recommended discipline. In the event of a termination, the final notice of discipline shall also inform the employee of the reason for termination and the process to receive all remaining fringe and retirement benefits.
- (g) Once the Sheriff has issued a written decision, the discipline shall become effective.

106.11 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file.

The tender of a retirement or resignation by itself shall not serve as grounds for the termination of pending discipline.

106.12 POST SKELLY PROCEDURE

In situations resulting in the imposition of a suspension, punitive transfer, demotion, termination of a non-probationary employee, the employee shall have the right to an evidentiary appeal of the

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Sheriff's imposition of discipline pursuant to the operative Memorandum of Understanding (MOU) or collective bargaining agreement and personnel rules.

During any post-Skelly administrative appeal, evidence that a deputy has been placed on a Brady list or is otherwise subject to Brady restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such Brady evidence shall be limited to determining the appropriateness of penalty. (Government Code § 3305.5).

106.13 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES

In the event that a probationary employee is terminated solely for unsatisfactory performance or the failure to meet department standards, the employee shall have no right to appeal and the following shall be considered:

- (a) Termination of a probationary employee for such failure to pass probation shall be so reflected in the employee's personnel file.
- (b) In the event that a probationary employee is disciplined or terminated for misconduct, the employee shall only be entitled to appeal the decision in the same manner as set forth in the Skelly procedure, as set forth above, although he or she have limited due process rights. This appeal process may be held prior to or within a reasonable time after the imposition of discipline. If the dismissal from probation involves charges that stigmatize the employee's reputation (i.e. theft, dishonesty, or immoral conduct), the employee may be entitled to a "name clearing" or "liberty interest" hearing. A liberty interest conference (also referred to as a Lubey Hearing) does not provide for the review of whether the employee may be removed from a non-tenured position. Rather, it affords the employee "only an opportunity to clear his/her name."
- (c) At all times during any investigation of allegations of misconduct involving a probationary deputy, such deputy shall be afforded all procedural rights set forth in Government Code § 3303 and applicable Department policies.
- (d) A probationary employee's appeal of disciplinary action shall be limited to an opportunity for the employee to attempt to establish that the underlying allegations should not be sustained. Nothing in this policy or procedure, however, should be construed to establish any sort of property interest in or right to the employee's continuation of employment.
- (e) The burden of proof for any probationary employee's appeal of disciplinary action shall rest with the employee and will require proof by a preponderance of the evidence.
- (f) In the event that a probationary employee meets his or her burden of proof in such a disciplinary appeal, the Department shall remove all reference to the underlying allegations of misconduct from the employee's personnel file.
- (g) In the event that a probationary employee fails to meet his or her burden of proof in such a disciplinary appeal, the employee shall have no further right to appeal beyond the Sheriff.

Post Orders

107.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the development of post orders and the training of members assigned to each post.

107.2 POLICY

It is the policy of this office to develop comprehensive post orders for every position. Copies of the orders should be maintained at each post or available electronically. Members shall be familiar with the post orders before working a position.

107.3 DEVELOPMENT

Clear procedures should be incorporated into post orders for all regular daily activities including, but not limited to, safety checks, head counts, meals, sick call, recreation, clothing exchange, mail distribution and response to emergencies, such as fires, natural disasters and criminal acts.

107.4 REVIEW AND UPDATE

Post orders shall be reviewed at least annually and updated whenever necessary by the Jail Commander or the authorized designee.

107.5 TRAINING

The Training Sergeant shall ensure that all staff members assigned to posts are properly trained to perform all of the duties and responsibilities described in the post orders. This is particularly true in fire, life-safety and the emergency response procedures that have been implemented by the Jail Commander. This may include the use of self-contained breathing apparatus (SCBA) if such equipment is available and/or required by the local fire authority. All training should be documented in each member's training file and retained in accordance with established records retention schedules.

Personnel Complaints

108.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Kings County Sheriff's Office. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

108.2 POLICY

The Kings County Sheriff's Office takes seriously all complaints regarding the service provided by the Office and the conduct of its members.

The Office will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local laws; municipal and county rules; and the requirements of any collective bargaining agreements.

It is also the policy of this office to ensure that the community can report misconduct without concern for reprisal or retaliation.

108.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of office policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate office policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Office.

108.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Shift Supervisor is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Internal Affairs Unit, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or

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the Internal Affairs Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

108.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any office member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

108.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

108.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the office facility and be accessible through the office website. Forms may also be available at other county facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

108.4.2 ACCEPTANCE

All complaints will be courteously accepted by any office member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

A complainant shall be provided with a copy of his/her statement at the time it is filed with the Office (Penal Code § 832.7).

108.4.3 AVAILABILITY OF WRITTEN PROCEDURES

The Office shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.5).

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108.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Jail Commander should audit the log and send an audit report to the Sheriff or the authorized designee.

108.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

108.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Sheriff or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 - 1. The original complaint form will be directed to the Shift Supervisor of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Jail Commander or the Sheriff, who will initiate appropriate action.
- (b) Responding to all complainants in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Office receiving the complaint.
 - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Shift Supervisor.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Shift Supervisor and the Sheriff are notified via the chain of command as soon as practicable.

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- (e) Promptly contacting the Department of Human Resources and the Shift Supervisor for direction regarding the supervisor's role in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Shift Supervisor, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

108.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs Unit, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights (POBR) (Government Code § 3303):

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.
- (b) Unless waived by the member, interviews of an accused member shall be at the Kings County Sheriff's Office or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused member.
- (d) Prior to any interview, a member shall be informed of the nature of the investigation, the name, rank and command of the deputy in charge of the investigation, the interviewing officers and all other persons to be present during the interview.
- (e) All interviews should be for a reasonable period and the member's personal needs should be accommodated.
- (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Lybarger* advisement. Administrative investigators

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should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.
- (i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All members shall provide complete and truthful responses to questions posed during interviews.
- (k) No member may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

No investigation shall be undertaken against any deputy solely because the deputy has been placed on a prosecutor's *Brady* list or the name of the deputy may otherwise be subject to disclosure pursuant to *Brady v. Maryland*. However, an investigation may be based on the underlying acts or omissions for which the deputy has been placed on a *Brady* list or may otherwise be subject to disclosure pursuant to *Brady v. Maryland* (Government Code § 3305.5).

108.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

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Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

108.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve office members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of a deputy were found to violate law or office policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

108.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

108.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

108.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

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Lockers and storage spaces may only be administratively searched in the member's presence, with the member's consent, with a valid search warrant or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

108.7.1 DISCLOSURE OF FINANCIAL INFORMATION

An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

- (a) Pursuant to a state law or proper legal process
- (b) Information exists that tends to indicate a conflict of interest with official duties
- (c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

108.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Office, the Sheriff or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any office badge, identification, assigned weapons and any other office equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift and will report as ordered.

108.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Sheriff shall be notified as soon as practicable when a member is accused of criminal conduct. The Sheriff may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be advised of his/her constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

The Kings County Sheriff's Office may release information concerning the arrest or detention of any member, including a deputy, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

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108.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Sheriff through the chain of command. Each level of command should review the report and include his/her comments in writing before forwarding the report. The Sheriff may accept or modify any classification or recommendation for disciplinary action.

108.10.1 JAIL COMMANDER RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Jail Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Jail Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Sheriff, the Jail Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Sheriff, the Jail Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

108.10.2 SHERIFF RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Sheriff shall review the recommendation and all accompanying materials. The Sheriff may modify any recommendation and/or may return the file to the Jail Commander for further investigation or action.

Once the Sheriff is satisfied that no further investigation or action is required by staff, the Sheriff shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Sheriff shall provide the member with a pre-disciplinary procedural due process hearing (*Skelly*) by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)). The Sheriff shall also provide the member with:

- (a) Access to all of the materials considered by the Sheriff in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Sheriff within five days of receiving the notice.
 - 1. Upon a showing of good cause by the member, the Sheriff may grant a reasonable extension of time for the member to respond.
 - 2. If the member elects to respond orally, the presentation shall be recorded by the Office. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response, or if the member has elected to waive any such response, the Sheriff shall consider all information received in regard to the recommended discipline. The Sheriff shall render a timely written decision to the member and specify the grounds

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and reasons for discipline and the effective date of the discipline. Once the Sheriff has issued a written decision, the discipline shall become effective.

108.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Sheriff or the authorized designee shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint (Penal Code § 832.7(f)).

108.10.4 NOTICE REQUIREMENTS

The disposition of any civilian's complaint shall be released to the complaining party within 30 days of the final disposition. This release shall not include what discipline, if any was imposed (Penal Code § 832.7(f)).

108.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Sheriff after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Sheriff to consider.
- (d) In the event that the Sheriff elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Sheriff on the limited issues of information raised in any subsequent materials.

108.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

108.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding and/or personnel rules.

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In the event of punitive action against an employee covered by the POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that a deputy has been placed on a *Brady* list or is otherwise subject to *Brady* restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such *Brady* evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

108.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to any of the procedures set forth in this policy or any right to appeal. However, any probationary deputy subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will, probationary employees and those other than non-probationary employees subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before the Sheriff or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Sheriff shall be final.

108.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

Chapter 2 - Organization and Administration

Drug- and Alcohol-Free Workplace

200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

200.2 POLICY

It is the policy of this office to provide a drug- and alcohol-free workplace for all members.

200.2.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON-DUTY

Employees shall not purchase or possess alcohol or other controlled substances on office property, at work or while on-duty.

Employees shall not illegally manufacture any alcohol or drugs at any time.

200.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on office time can endanger the health and safety of office members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Supervisor or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

200.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Office while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

200.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on office premises or on office time (41 USC § 8103). The lawful

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possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

200.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program for employees who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

200.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Office.

200.7 REQUESTING SCREENING TESTS

A supervisor may request an employee to submit to a screening under any of the following circumstances:

- (a) A supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.
- (c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person or substantial damage to property.

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200.7.1 SUPERVISOR RESPONSIBILITY

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

200.7.2 SCREENING TEST REFUSAL

An employee may be subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.
- (c) Violates any provisions of this policy.

200.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Office will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

200.9 CONFIDENTIALITY

The Office recognizes the confidentiality and privacy due to members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

Supervision of Inmates - Minimum Requirements

201.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure the safety and security of the facility through the application of appropriate staffing levels.

201.2 POLICY

It is the policy of this facility to provide for the safety and security of citizens, staff and inmates through appropriate staffing levels that are sufficient to operate the facility and perform functions related to the safety, security, custody and supervision of inmates.

201.3 SUPERVISION OF INMATES

There shall be, at all times, sufficient staff designated to remain in the facility for the supervision and welfare of inmates, to ensure the implementation and operation of all programs and activities as required by Title 15 CCR Minimum Jail Standards, and to respond to emergencies when needed. Such staff must not leave the facility while inmates are present and should not be assigned duties that could conflict with the supervision of inmates (15 CCR 1027).

When both male and female inmates are held at this facility, a minimum of one male and one female deputy should be on-duty in the jail at all times.

Staff members shall not be placed in positions of responsibility for the supervision and welfare of inmates of the opposite sex in circumstances that can be described as an invasion of privacy or that may be degrading or humiliating to the inmates. Staff used as program resource personnel with inmates should be of the same sex as the inmates when reasonably available. However, at least one staff member of the same sex as the inmates should be on-duty and available to the inmates during all such activities.

To the extent reasonably practicable, inmate bathrooms will contain modesty screens that preserve privacy without creating areas that cannot be properly supervised.

The Jail Commander or the authorized designee shall be responsible for developing staffing plans to comply with this policy. Records of staff deployment should be maintained in accordance with established records retention schedules (Penal Code § 4021; 15 CCR 1027).

201.4 SEPARATION OF DUTIES

Maintenance personnel are employed to perform preventive, routine and emergency maintenance functions. Custody staff will not be given physical plant maintenance duties that distract from their primary responsibility of supervising inmates.

Prohibition on Inmate Control

202.1 PURPOSE AND SCOPE

The purpose of this policy is to define the requirement that staff should at all times exercise control of the inmate population under their supervision and should prevent inmates from controlling other inmates within the facility.

202.2 POLICY

All staff, including support staff, contractors and volunteers should exercise control and supervision of all inmates under their control. It is the policy of this office to prohibit any staff member to implicitly allow, or by dereliction of duty allow, any inmate or group of inmates to exert authority over any other inmate (Penal Code § 4019.5; 15 CCR 1083(c)).

202.3 EDUCATION, DRUG OR ALCOHOL PROGRAM ASSISTANTS

Nothing in the policy is intended to restrict the legitimate use of inmates to assist in the instruction of educational or drug and alcohol programs. Any use of inmates in this manner will be expressly authorized by the Jail Commander in a legally prescribed manner. Any program that uses inmates to assist in legitimate program activities will be closely supervised by facility employees or vocational instructors. Nothing in this section is intended to authorize an inmate program assistant to engage in disciplining other inmates.

Tool and Culinary Equipment

203.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a tightly controlled process for the use of tools and culinary equipment in order to reduce the risk of such items becoming weapons for the inmate population. While there are times that specific inmate workers may need to possess tools or equipment for legitimate daily operations, the possession and use of those tools must be carefully monitored and controlled by staff (15 CCR 1029(a)(6)).

203.2 POLICY

It is the policy of this facility to securely store, inventory, control and monitor the use of tools and culinary equipment to ensure accountability and the secure use of these items (15 CCR 1029(a)(6)).

203.3 CUSTODY TOOLS

Tools include all implements that are maintained within the secure perimeter of the facility to complete specific tasks. These tools include, but are not limited to, mops, brooms, dustpans and floor polishers.

All tools, culinary items or medical equipment shall be locked in secure cabinets or storage rooms when not in use.

Any time tools are brought into a secure area where inmates are present, staff supervising the area shall count the number of tools brought in to ensure that the same number of tools is taken out.

Any tool that is used within the secure perimeter of the facility must be closely monitored and controlled by the staff supervising the area so that it cannot be used as a weapon (15 CCR 1029(a)(6)). Inmates who are assigned tasks that require these tools shall be closely supervised.

An inventory of all tools used and stored within the secure perimeter of the facility shall be developed and maintained by the Jail Commander. Tools will be inventoried by an assigned staff member at least once every 24 hours. The loss of any tool will be immediately reported to the on-duty supervisor, who shall initiate immediate action to locate or account for the missing tool, including:

- (a) Detaining and searching any inmate who had access to the tool.
- (b) Conducting a thorough search of the immediate area for the missing item.
- (c) Initiating a facility-wide search.

The staff member responsible for the supervision of the use of the missing tool will prepare and submit a report to the Shift Supervisor documenting the specific tool that is missing and the circumstances of the disappearance. The report will be forwarded to the Jail Commander. A report identifying all members involved in the search should be submitted to the on-duty supervisor documenting their findings.

Tool and Culinary Equipment

203.4 MAINTENANCE OR CONSTRUCTION TOOLS

Maintenance or construction tools are those tools and equipment that are brought into and out of the secure perimeter of the facility by employees or contractors to facilitate repairs or construction of the physical plant. Only the tools and equipment needed specifically for the intended work will be permitted into the facility. All tools and equipment will be inventoried and a list of the tools will be provided to the control booth prior to any tools or equipment being brought inside the secure perimeter.

A staff member will check the tools being brought into this facility against the inventory list. Prior to entering the secure perimeter of the facility, the contractor shall be instructed to maintain personal possession of the tools at all times. When it is necessary to complete a task in an area where inmates are present, the inmates shall be locked down by staff supervising the area.

When the person has finished working in the area, a deputy will ensure that all tools are accounted for by checking the tool inventory. In the event of a discrepancy, the on-duty supervisor shall be immediately notified and appropriate action taken to locate or account for the items. Once all tools have been accounted for, the inmates may be released from lockdown.

203.5 EXTERIOR-USE TOOLS

Exterior-use tools are those that are used by inmate workers outside of the secure perimeter. These tools include, but are not limited to, the following:

- Handheld tools
- Power tools
- Landscape maintenance tools
- Farm equipment

Only inmate workers who are classified to work outside the secure perimeter of the facility will be allowed to possess exterior-use tools. The deputy responsible for supervising inmate workers on outside work crews will inventory all tools assigned for this purpose at the beginning of the shift.

Any tool issued to an inmate will be logged with the inmate's name, the tool type and serial number documented. When an inmate worker is finished with that tool, the responsible staff member shall check the tool against the check-out log and document its return. Inmate workers shall not be permitted to pass tools between each other except under the direct supervision of a deputy.

All tools will be checked-in and noted on the log and returned to the tool storage area at the end of each shift. Until all tools are accounted for, inmate workers should not be released from the work assignment.

In the event that an exterior-use tool is missing, the deputy shall immediately notify a supervisor. A thorough search for the tool will be undertaken and an incident report shall be completed. Inmates may only be released from their work assignments when it has been determined that it is safe to do so, and upon the approval of the supervisor. The incident report with all relevant information shall be forwarded to the Jail Commander.

Tool and Culinary Equipment

203.6 KITCHEN EQUIPMENT

Culinary tools are located in the kitchen and include common tools used in the preparation, service and delivery of meals.

All kitchen knives or metal tools with sharp edges shall be stored in a locked cabinet. There shall be an outline of the tool's assigned location in the cabinet so that any tool missing from the cabinet can be easily identified. When in use, all knives shall be tethered to the work area. All tools shall be returned to the secure cabinet when not in use.

The deputy assigned to the kitchen shall inventory all kitchen tools at the beginning of his/her shift and prior to the arrival of inmate workers. Kitchen tools will only be issued to inmates who have been classified as inmate workers. Staff will supervise inmates at all times when the inmates are using tools.

Each tool issued will be assigned to an individual inmate and logged. The inmate's name and the tool type will be documented. When an inmate worker is finished with a tool, the tool shall be checked in with the deputy and documented. Inmate workers shall not be permitted to pass tools between each other except under the direct supervision of a deputy.

All tools will be returned to the kitchen tool cabinet at the end of each shift and must be accounted for prior to any inmate worker being released from the work assignment.

In the event that a kitchen tool is missing, the deputy shall immediately notify the on-duty supervisor, who shall initiate immediate action to locate or account for the missing tool. A thorough search for the tool will be undertaken and an incident report shall be completed by the deputy responsible for the supervision of the use of the tool. The incident report with all relevant information shall be forwarded to the Jail Commander.

203.7 SERVING AND INDIVIDUAL EATING TOOLS

Serving tools and individual eating tools are those culinary tools located outside of the kitchen. Only inmate workers who are assigned to serve food shall be in control of serving tools. These tools shall be assigned to each inmate worker by the kitchen deputy prior to leaving the kitchen. The tool type shall be documented. Upon returning to the kitchen from serving meals, the inmate workers shall individually check their tools in with the kitchen deputy, who shall document each one.

In the event that a serving tool is missing, the kitchen deputy shall notify a supervisor and a search for the tool shall be initiated.

Eating utensils (forks/spoons/sporks) shall be counted by the deputy supervising the meal service prior to and at the completion of each meal. In the event that a utensil is missing, the housing unit shall be immediately locked down and a supervisor notified. A thorough search of the housing unit shall be initiated to locate the tool.

Disposition of Evidence

204.1 PURPOSE AND SCOPE

The purpose of this policy is to provide direction regarding the proper handling and disposition of contraband and evidence to ensure that the chain of custody is maintained so that evidence is admissible in a court of law or disciplinary hearing.

204.2 POLICY

It is the policy of the Kings County Sheriff's Office to seize evidence and contraband in accordance with current constitutional and search-and-seizure law. Members of this office shall properly handle all contraband and evidence in order to maintain its admissibility. All contraband and evidence shall be handled in a safe manner and in a way that will maintain the chain of custody.

204.2.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor.

204.2.2 RESPONSIBILITY FOR CONTROLLED SUBSTANCES

The law enforcement authority will be responsible for the storage, control and destruction of all controlled substances coming into the custody of this office, including paraphernalia.

204.3 RESPONSIBLE STAFF

Generally, investigations and booking of evidence within the Kings County Jail will be the responsibility of the Investigative Services Unit (ISU). Other jail staff may book evidence under the direction of ISU.

Records and Data Practices

205.1 PURPOSE AND SCOPE

This policy establishes guidelines for the control and access of confidential records by staff, contractors and volunteers.

205.2 ACCESS TO CRIMINAL RECORDS

Official files, documents, records, electronic data, video and audio recordings and information held by the Kings County Sheriff's Office or in the custody or control of office employees, volunteers or contractors are regarded as non-public and/or confidential.

Access to confidential paper or electronically generated records in this facility is restricted at various locations according to job function and the need to know. Employees working in assigned areas will only have access to the information that is necessary for the performance of their duties. Granting access to other employees or anyone outside of the work area must meet with supervisory approval. All requests for information received from outside the Office shall be forwarded to the Jail Commander.

Custody staff, volunteers and contractors shall not access, disclose or permit the disclosure or use of such files, documents, reports, records, video or audio recordings or other confidential information except as required in the performance of their official duties and in accordance with office policies, statutes, ordinances and regulations related to data practices.

Custody staff, volunteers and contractors who are uncertain of the confidentiality status of any document should consult with a supervisor or Jail Commander to determine the status of the documents in question.

205.3 STAFF TRAINING

Prior to being allowed to work inside this facility, all custody staff, volunteers and contractors will receive training on office records, policies and confidentiality requirements, including the potential criminal and civil penalties that may result from a breach of confidentiality in violation of this policy and all applicable statutes.

Research Involving Inmates

206.1 PURPOSE AND SCOPE

The purpose of this policy is to establish safeguards and guidelines to protect inmates from being used as research subjects in medical and other research experiments based only on their status as inmates and without proper approval, review or informed consent.

206.2 POLICY

The Kings County Sheriff's Office will conduct and support research that improves operations, enhances professional knowledge, decreases recidivism and advances the office's mission in accordance with existing laws and with appropriate protection of all inmates. However, the use of inmates for medical, pharmaceutical, or cosmetic experiments is prohibited.

206.3 AUTHORIZATION REQUIREMENTS

Prior to initiating any approved research, all persons conducting research in this facility must agree to abide by all office policies relating to the security and confidentiality of inmate files. Based upon the intended use of the research, guidelines will be established regarding what information shall be accessible to the researcher or the research organization.

Any requests for an exception shall include a response to the following questions as part of the proposed research project:

- Who is conducting the research?
- What is the purpose of the research?
- What is the methodology?
- Do the researchers or persons advocating research involving the use of inmates have an understanding of their ethical responsibilities, including considerations for the establishment of an Institutional Review Board (IRB), as described in 45 CFR 46.301 et seq.?
- Any other information as deemed appropriate by the Jail Commander or Sheriff.

Inquiries regarding proposed research projects from local, state and federal executive and legislative bodies/agencies will be brought to the attention of the Sheriff immediately by the employee who receives the request. At the direction of the Sheriff, an appropriate and timely response will be made to each legitimate inquiry.

Research or studies involving more than the information identified as public information may require signed release/waiver forms from the involved inmates. The Sheriff should consult and seek guidance from the legal counsel serving the Office or other legal expert in these matters.

Inmates are not precluded from individual treatment based on the need for a specific medical procedure that is not generally available. An inmate's treatment with a new medical procedure

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by the inmate's own physician shall be undertaken only after the inmate has received a full explanation of the positive and negative features of the treatment, and only with the inmate's informed consent.

206.4 LEGAL CONSIDERATIONS

Any research conducted or supported by the United States Department of Health and Human Services (DHHS) will be required to comply with the provisions of 45 CFR 46.301 et seq.

206.5 INMATES IN COMMUNITY-BASED RESEARCH

When inmates who are participants in a community-based research protocol are admitted to the facility, the following shall occur:

- (a) The intake nurse shall collect all relevant data including name and contact information of the treating physician, and all available detail about the treatment regimen and the condition being treated.
- (b) The responsible physician shall be contacted prior to the initiation of treatment.
- (c) Consultation with community researchers shall be made by the responsible physician to determine the intent of the study and any necessary parameters to measure as the treatment period progresses.
- (d) Necessary information shall be obtained so that withdrawal from the research protocol is done without harming the health of the inmate.

206.6 HUMAN RESEARCH STUDIES

This office does not endorse enrolling inmates into human research studies. Requests to enroll inmates in human research studies will not ordinarily be approved. However, any request to enroll an inmate into such a study must be reviewed by the Sheriff, the Responsible Physician and legal counsel, and authorization provided prior to enrollment. Any authorized enrollments shall comply with all state and federal guidelines.

Inmate Records

207.1 PURPOSE AND SCOPE

This policy establishes the procedures for creating and maintaining accurate records of all persons booked and confined in this facility.

207.2 POLICY

It is the policy of this office that all records shall be complete and comprehensive, resulting in reliable data that provides information about each inmate's period of confinement, as well as histories of previous confinement in this facility. All inmate records are official office documents and should be used for official business only. Inmate records are a vital component of the criminal justice system and should only be released to authorized persons.

207.2.1 RELEASE OF INMATE RECORDS

The inmate records shall be identified and separated according to a format developed and approved by the Jail Commander or authorized designee. Inmate records will be stored in three areas: the facility's jail management system (electronically), the inmate's file or with the Classifications Unit.

Medical, dental, mental health, drug and alcohol screenings, assessments, treatments, medication records are maintained by the jail's medical provider.

207.2.2 JAIL MANAGEMENT SYSTEM MAINTENANCE (ELECTRONIC RECORD MAINTENANCE OR JMS)

All inmate records and data maintained in an electronic format shall be accessible only through a login/password-protected system capable of documenting any person accessing information by the individual's name and date and time the information was accessed. The Jail Commander shall be responsible for working with the information technology personnel to ensure the security of the data and to develop and maintain a copy of the JMS security plan. Records maintained through the jail management system include, but are not limited to:

- Photographs
- Duration of confinement
- Cash and property receipts
- Housing history records
- Reports of incidents or crimes committed during confinement

207.3 RECORDS RETENTION

Inmate records shall be maintained consistent with the established records retention schedule.

Once the original of any records has been uploaded into an electronic database, including, but not limited to, the facility's JMS, the original hard copy may be destroyed. The electronic version of the

Inmate Records

record shall become the original and be maintained according to the facility's records' retention policy. Records will be maintained for no less than five years.

207.3.1 TELEPHONE AND VISITATION RECORDS

Records of telephone calls and visitations made or received by an inmate while housed in this facility are maintained by the facility's vendors for these services pursuant to the agreement between the vendors and the County of Kings.

207.3.2 CLASSIFICATIONS UNIT RECORDS MAINTENANCE

The Classifications Unit shall separately maintain the classification records of inmates housed in the facility. Such records include, but are not limited to, inmate classification assessments and housing restrictions.

207.4 RECORD MAINTENANCE

It shall be the responsibility of the Records Division to maintain the following records on all persons who have been committed or assigned to this facility, including, but not limited to, the following (15 CCR 1041):

- Information gathered during the admission process as provided in the Inmate Reception Policy
- Photographs and fingerprints cross referenced to the booking number
- Duration of confinement
- Cash and property receipts
- Classification records, including inmate classification levels and housing restrictions
- Housing history records
- Reports of disciplinary events and dispositions
- Grievances and dispositions
- Reports of incidents or crimes committed during confinement
- Request forms
- Special visit forms
- Court appearances, documents and the disposition of hearings
- Work documentation
- Program documentation
- Visitation records
- Telephone records
- Medical, dental, mental health, drug and alcohol screenings, assessments, treatments and medications

Inmate Records

The Jail Commander or the authorized designee shall establish a procedure for managing inmate records.

207.4.1 COURT ORDERS OF NAME OR GENDER CHANGE

When a court order is received that involves a name change of an inmate, the Records Division shall document the new name in the inmate's records and list any prior names as an alias. When a court order is received involving a gender change, appropriate adjustments will be made to the inmate records (Code of Civil Procedure § 1279.5).

207.5 RELEASE OF INMATE RECORDS

Inmate records are confidential and shall be used for official business only. Any release of inmate records shall be made only in compliance with lawful court order or as authorized by state and federal law to persons having a legitimate criminal justice need, or with a consent form signed by the inmate (15 CCR 1045). A copy of the release authorization document shall be maintained in the inmate record file.

207.6 ELECTRONIC RECORD MAINTENANCE

All inmate records and data maintained in an electronic format shall be accessible only through a login/password-protected system capable of documenting by name, date and time any person who has accessed the information. The Jail Commander shall be responsible for working with the information technology personnel to ensure the security of the data and to develop and maintain a copy of the security plan.

207.7 RECORDS RETENTION

Inmate records shall be maintained consistent with the established records retention schedule.

207.8 INFORMATION SHARING REGARDING IMMIGRATION STATUS

No member of this office will prohibit, or in any way restrict, another member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; Government Code § 7284.6):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in office records
- (c) Exchanging such information with any other federal, state or local government entity

Nothing in this policy restricts sharing information permissible under the California Values Act.

Report Preparation

208.1 PURPOSE AND SCOPE

Report preparation is a major part of each deputy's job. The purpose of reports is to refresh the deputy's memory and to provide sufficient information for a follow-up investigation and successful prosecution or a disciplinary proceeding. Report writing is the subject of substantial formal and on-the-job training.

208.2 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. Reports shall be prepared by the staff assigned to investigate or document an incident, approved by a supervisor and submitted to the Jail Commander or the authorized designee in a timely manner (15 CCR 1044). Any incident resulting in death, injury or endangerment to staff or a visitor, serious injury to an inmate, escape, a major disturbance, a facility emergency or an unsafe condition at the facility shall be submitted to the Jail Commander as soon as practicable but no later than the end of the reporting employee's shift. It is the responsibility of the assigned employee to ensure that all the above listed reports meet this requirement or that supervisory approval has been obtained to delay the report. The supervisor must determine whether the report will be available in time for appropriate action to be taken, such as administrative notifications or resolution, investigative leads or an inmate disciplinary proceeding.

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the employee shall be required by the reviewing supervisor to promptly correct the report. Employees who dictate reports by any means shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

208.3 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate office-approved form unless otherwise approved by a supervisor (15 CCR 1044).

208.3.1 CRIMINAL ACTIVITY REPORTING

When an employee responds to an incident, or as a result of self-initiated activity, and becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The fact that a victim is not desirous of prosecution is not an exception to documentation.

Report Preparation

208.3.2 INCIDENT REPORTING

Incident reports generally serve as an in-house notation of occurrences in the facility and to initiate, document and support the inmate disciplinary process. The Office shall establish a filing system that differentiates between incident reports, crime reports and disciplinary actions. This policy does not require the duplication of information on two different forms. Where both exist, cross-referencing facilitates retrieval of one or both.

Incidents that shall be documented using the appropriate approved report include (15 CCR 1044):

- (a) Non-criminal incidents of rule violations by inmates.
- (b) Attempted suicide or suicidal ideation on the part of an inmate, if known.
- (c) Non-criminal breaches of security or evidence of an escape attempt.
- (d) Non-criminal security threats, including intelligence related to jail activities.
- (e) Significant incidents related to medical issues, health or safety in the jail.
- (f) Discovery of contraband in the possession of inmates or their housing areas.
- (g) Detaining or handcuffing any visitor at the facility.
- (h) Traffic collisions involving office vehicles.
- (i) Risk management incidents to include injuries to inmates and lost or damaged property.
- (j) Accidental injuries of staff, inmates or the general public.

208.3.3 DEATHS

All deaths shall be investigated and a report completed by a qualified investigating officer to determine the manner of death and to gather information, including statements of inmates and staff who were in the area at the time the death occurred.

Reporting of deaths will be handled in accordance with the Reporting Inmate Deaths Policy.

208.3.4 INJURY OR DAMAGE BY AGENCY OFFICE PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of an employee. Reports shall be taken involving damage to property or equipment.

208.4 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

208.5 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should return it to the reporting employee for correction as soon as

Report Preparation

practicable. It shall be the responsibility of the originating employee to ensure that any report returned for correction is processed in a timely manner. It shall be the responsibility of the supervisor rejecting the report to follow up on any report corrections not received in a timely manner.

208.6 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Division for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Division may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor. Reviewing supervisors should not alter reports. When modifications are required, these should be the responsibility of the authoring employee.

Key/Access Card Control

209.1 PURPOSE AND SCOPE

The control and accountability of facility keys and electronic access devices are vital factors in maintaining a safe and secure environment for inmates, staff, volunteers, contractors and the public (15 CCR 1029(a)(6)). This policy outlines the methods that the Office will use in maintaining strict security of its keys and electronic access devices. For ease of reference, the term "key" as used in this policy includes all physical means of access to or exit from the secure areas of the facility.

209.2 POLICY

It is the policy of this office that all keys used to access secure areas of the facility or to exit the secure areas of the facility are strictly controlled. Employees and supervisors will be held accountable for the security and safety of the facility. All key control activities shall be accurately documented on a daily basis (15 CCR 1029(a)(6)).

209.2.1 KEY IDENTIFICATION

All keys that open any doors within the facility shall be marked with unique identification codes that will allow for quick inventory. Keys that are bundled together as a set shall be numbered or coded with a tag to identify that set. The identifying numbers or code on keys shall not correspond to numbers/codes on locks.

A separate secure document identifying all keys will be maintained by the Booking supervisor.

209.2.2 KEYSSET CONTENTS

Keysets issued to staff for use within the secure perimeter of the facility shall not contain any key that would permit access to areas outside the secure perimeter. The armory key shall not be permitted inside the secure perimeter. Exterior door keys shall not be permitted inside the facility except during an emergency requiring access to the exterior doors.

209.2.3 KEY CONTROL

All facility keys shall be maintained in a [REDACTED]. This room shall have controlled access for staff only. Each person assigned to the facility shall be issued key tags bearing his/her employee number. Keysets will be exchanged for department identification to maintain a record of which employee has which set. At the end of a shift, employees shall exchange all keys for their identification.

Under no circumstances shall an employee pass a key or keyset to another employee. All keys must be checked out through the control process. Employees shall not possess any key for which they have not been authorized.

Employees shall not duplicate, mark, alter or manufacture any key without written authorization from the Jail Commander or the authorized designee.

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Supervisors shall, [REDACTED] inventory the key box and its contents. All keys must be accounted for before the supervisor may end his/her shift.

Under no circumstances will security keys be made available to inmates regardless of their status.

209.2.4 LOCK POLICY

All security perimeter entrances, Central Control doors and cell doors shall be kept locked, except when used for admission or exit of employees, inmates or visitors, and in an emergency. Operators of sallyports shall ensure that only one of the doors of a sallyport is opened at any time for entry or exit purposes, except where the entry or exit of emergency personnel requires the operator to override the doors and allow for rapid entry or exit. Each time the override function is engaged, staff must notify the on-duty supervisor prior to the end of his/her shift.

209.2.5 EXTERIOR DOOR

Keys for exterior doors to the facility shall be kept in a [REDACTED]. Supervisors shall, [REDACTED], inventory and account for these keys.

209.2.6 MISSING KEYS

Any staff member who discovers that a key or keyset is missing shall immediately make a verbal report to a supervisor and shall prepare a written incident report as directed by the supervisor. The supervisor shall immediately initiate a search for the missing key. If a reasonable effort to locate the key fails, the supervisor shall order a lockdown of the facility. All inmates shall be locked in their cells/housing units. Inmates shall not be allowed to pass into or out of the facility without being thoroughly searched for the missing key. The supervisor shall, as soon as practicable, notify the Jail Commander regarding the loss of the key, when it was discovered and the circumstances involved.

A methodical and thorough search of the entire facility will be made by the on-duty staff.

Additional staff may be called to assist with the search. If, after a thorough search, the key or keyset is not located, the Jail Commander will determine whether to re-key any locks that may have been compromised, and whether this should be done immediately.

The Jail Commander shall initiate an investigation into the disappearance of the keys to reexamine the procedures for key control, and shall notify the Assistant Sheriff of his/her findings. Based upon the findings of the investigation and any recommendations, the procedures governing this policy may be amended.

209.2.7 DAMAGED KEYS OR LOCK

Damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key shall be left in the lock. All portions of the damaged key must be turned in to the Shift Supervisor, who will ensure duplicate keys are provided as needed. Damaged locks shall be replaced or repaired as soon as practicable. Appropriate security measures shall be taken until such time as the lock is properly restored. No lock to a security door or gate shall be permitted to be inoperable or left

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in an unsuitable condition. No inmate shall be secured in a cell, detention room or area that has inoperable locks.

209.3 KEY CONTROL RECORDS

A shift roster will be maintained for the accounting and security of all keysets. Each shift is responsible for reporting any key malfunctions or missing keysets. Key control measures shall be documented by the Booking supervisor on logs/forms, and the records retained in accordance with established records retention schedules.

Daily Activity Logs and Shift Reports

210.1 PURPOSE AND SCOPE

Accurate and legible records are vital to the management of the facility. They provide a means for managers to review events and emergency situations that have occurred within the facility.

This policy establishes the requirement for the preparation, maintenance and retention of permanent logs and shift reports that record routine information, emergency situations and unusual incidents.

210.2 POLICY

Staff assigned to a secured control room (bubble) shall prepare an accurate daily dayroom and yard log. The daily logs are a permanent record of the daily activities. Employees who falsify any jail document may be subject to disciplinary action, up to and including termination, as well as criminal prosecution.

210.3 PROCEDURES

All facility employees will adhere to the following procedures when preparing a daily activity log or shift log:

- (a) Entries should be legible and provide sufficient detail to ensure that the log entry or report properly reflects the events of the day.
- (b) Entries shall reflect the employees identification number, date and time of the events logged.
- (c) Entries created and stored electronically shall not be modified. If corrections or changes become necessary, they shall be done by way of a supplemental entry, leaving the original entry unaltered and retrievable.

210.4 SHIFT LOG

Shift supervisors shall enter all pertinent information into the Jail management systems shift log at the end of each shift:

- (a) Bookings or releases
- (b) Formal counts
- (c) All searches/shakedowns
- (d) Inmate movement within the facility
- (e) Meal service
- (f) Professional visits to the housing units, including maintenance work and tours

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- (g) Alarms and security equipment tests
- (h) Medication delivery, sick call or inmate complaint of illness or injury and the action taken
- (i) Disciplinary actions
- (j) Supervisor rounds to the housing area and/or to specific inmates
- (k) Unusual inmate behavior
- (l) Unusual occurrences

A copy of the daily shift log will be made available to the oncoming watch supervisor and a copy will be placed in the Facility Commander's box in booking at the end of each shift.

210.4.1 HOUSING SAFETY CHECKS LOGS

Housing safety checks (cell checks/well-being checks) for inmates temporarily housed in the booking area shall be documented on a safety check log. Staff performing the check will indicate the time and location of each cell or set of cells where inmates are directly observed to ensure their well-being. The shift supervisor will review each log at the end of each shift. At the end of each calendar month, the safety checks will be sent to the Quality Assurance staff for inspection and storage.

Housing safety checks (cell checks/well-being checks) for inmates housed in regular housing units shall be recorded on the Pipe Guard Pro Recorder. The shift supervisor shall ensure the Pipe Guard Pro Recorder is downloaded at the end of each shift. At the end of each calendar month, the safety check reports generated by Pipe Guard Pro Recorder will be inspected by Quality Assurance staff.

210.5 SUPERVISOR RESPONSIBILITIES

Supervisors shall review the daily shift logs, incident reports, safety checks, safety cell and restraint chair checks during the course of each shift. Supervisors shall sign and include the date and time of review on each log or report.

Whenever a major event in the facility requires a coordinated command response, the watch supervisor will keep a running log that identifies, at minimum, the following:

- Date and time the incident began
- Specific location of the incident
- Times of significant response measures taken during the incident
- Name, identification number and time of arrival of personnel on-scene
- Orders issued by the Facility Commander.
- Significant events that occurred as a result of the incident

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The above information should remain available to the Facility Commander throughout the event to assist with ongoing response planning.

Personnel Records

211.1 PURPOSE AND SCOPE

This policy governs the maintenance, retention and access to the personnel files of employees in accordance with established law. The personnel records of all employees contain confidential information and shall not be released or information disclosed from them except as prescribed below. This policy applies to personnel files of applicants and past and current employees.

211.1.1 PERSONNEL FILES DEFINED

Personnel records - Any file maintained under an individual's name by his/her employing agency and containing records relating to any of the following:

- (a) Personal data, including marital status, family members, educational and employment history, home address, or similar information
- (b) Medical or psychological history
- (c) Election of employee benefits or affiliations
- (d) Employee advancement, appraisal, discipline, training, or employee performance reports
- (e) Complaints or investigation of complaints against the employee alleging misconduct or performance deficiencies, whether filed by a civilian, another agency, or department.
- (f) Any dispositions of such complaints
- (g) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy

211.2 PERSONNEL RECORD LOCATIONS

Employee records will generally be maintained in any of the following:

Office file - That file which is maintained in the office of the Sheriff as a permanent record of an employee's service with this office.

Division file - Any file that is separately maintained internally by an employee's supervisor for the purpose of completing timely performance evaluations.

Supervisor log entries - Any written comment, excluding actual performance evaluations, made by a supervisor concerning the conduct of an employee of this office.

Training file - Any file that documents the training records of an employee.

Internal affairs files - Those files that contain complaints of employee misconduct and all materials relating to an investigation into such allegations, regardless of disposition.

Medical file - A file that contains only medical information relating to an employee's ability to perform the essential functions of his/her job or other health-related matters. This file is maintained separately from any other files.

Personnel Records

211.3 REQUESTS FOR DISCLOSURE OF PERSONNEL FILES

Only written requests for the disclosure of any information contained in any personnel record will be considered. Since the format of such requests may be strictly governed by law with specific responses required, all such requests shall be promptly brought to the attention of the Shift Supervisor, the custodian of records or other person charged with the maintenance of such records.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, in accordance with applicable law. In many cases, this will require assistance of legal counsel, as the disclosure of personnel, medical and similar files can constitute an unwarranted invasion of personal privacy or be subject to other protections.

All requests for disclosure that result in access to an employee's personnel file shall be logged in the corresponding file.

211.3.1 SUBPOENAS

Personnel files may be subpoenaed by a third party. If employment records are subpoenaed under state authority, the employee may be notified and has the right to object to production of the records under certain circumstances.

Any subpoena duces tecum should be promptly provided to a supervisor for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

All questions regarding compliance with any subpoena or subpoena duces tecum should be promptly referred to legal counsel for the Office so that a timely response can be prepared.

211.3.2 RELEASE OF PERSONNEL INFORMATION

Except as provided by this policy or pursuant to lawful process, information contained in any personnel file shall not be disclosed to any unauthorized person without the prior written consent of the involved employee, written authorization of the Sheriff or the authorized designee, or unless otherwise required by law.

Any person who willfully, maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses confidential personnel information without legal authority may be subject to prosecution and disciplinary action.

211.3.3 REQUESTS FOR DISCLOSURE OF FORMER EMPLOYEE FILES

Members receiving requests for information from another agency regarding allegations of sexual abuse or sexual harassment involving a former employee should work with counsel to ensure compliance with Prison Rape Elimination Act (PREA) requirements (28 CFR 115.17).

211.4 EMPLOYEE ACCESS TO OWN FILE

Any employee may request access to his/her own personnel file during normal business hours. The request should be directed to the individual responsible for maintaining such files. Any employee seeking the removal of any item from his/her personnel file shall file a written request

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to the Sheriff through the chain of command. The Office may thereafter remove any such item if appropriate or within 30 days provide the employee with a written explanation as to why the contested item will not be removed. If the contested item is not removed, the employee's request and the office's written response shall be retained with the contested item in the employee's personnel file.

Employees may be restricted from accessing files containing:

- (a) Ongoing internal affairs investigations to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the employee of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the employee.
- (c) Records relating to an active criminal investigation.
- (d) Letters of reference.
- (e) Ratings, reports or records that were obtained prior to the employee's employment.
- (f) Ratings, reports or records that were prepared by identifiable examination committee members, or were obtained in connection with a promotional exam; this includes test questions, scoring keys and other examination data used for employment.

Employees, former employees and job applicants, upon request, may receive a copy of any instrument the person signed that is related to his/her application or employment.

211.5 TYPES OF PERSONNEL FILES

Employee personnel files can be located in any of the following places.

211.5.1 OFFICE FILE

The Office file should contain, but is not limited to, the following:

- (a) Performance evaluation reports regularly completed by the appropriate supervisors and signed by the affected employee shall be permanently maintained.
- (b) Records of all training (original or photocopies of available certificates, transcripts, diplomas and other documentation) and education:
 - 1. It shall be the responsibility of the involved employee to provide the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.
 - 2. The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the employee's office file.
- (c) Disciplinary action:
 - 1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained in the individual employee's office file at least two years.

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2. Investigations of complaints that result in a finding of not-sustained, unfounded or exonerated shall not be placed in the employee's office file, but will be separately maintained for the appropriate retention period in the internal affairs file.
- (d) Adverse comments, such as supervisor log entries, may be retained in the office file or division file, after the employee has had the opportunity to read and initial the comment, for a period up to two years.
 1. Any such employee response shall be attached to and retained with the original adverse comment.
 2. If an employee refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination nor shall it prohibit the entry of the adverse comment into the employee's file.
- (e) Commendations shall be retained in the employee's office file, with a copy provided to the employee.
- (f) Personnel action reports reflecting assignments, promotions and other changes in the employee's employment status.

211.5.2 DIVISION FILE

The Division File should contain, but is not limited to:

- (a) Supervisor log entries, notices to correct and other materials intended to serve as a foundation for the completion of timely performance evaluations.
 1. All materials intended for this interim file shall be provided to the employee prior to being placed in the file.
 2. Duplicate copies of items that will also be included in the employee's office file may be placed in this interim file in anticipation of completing any upcoming performance evaluation.
 3. Once the permanent performance evaluation form has been finalized, the underlying foundation material and/or duplicate copies may be purged in accordance with this policy.
- (b) All rules of confidentiality and disclosure shall apply equally to the division file.

211.5.3 INTERNAL AFFAIRS UNIT FILE

Internal affairs files shall be maintained under the exclusive control of the Internal Affairs Unit in conjunction with the office of the Sheriff. Access to these files may only be approved by the Sheriff or the supervisor of the Internal Affairs Unit. These files shall contain:

- (a) The complete investigation of all formal complaints of employee misconduct, regardless of disposition (Penal Code § 832.12).
 1. Each investigation file shall be sequentially numbered within a calendar year (e.g., yy-001, yy-002).

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2. Investigation files arising from a complaint regarding any employee shall be maintained no less than two years.
- (b) Investigations that result in other than a sustained finding shall be maintained for the minimum statutory period but may not be used by the Office to adversely affect an employee's career.

211.5.4 TRAINING FILES

An individual training file shall be maintained by the Training Unit for each employee. Training files will contain records of all training (original or photocopies of available certificates, transcripts, diplomas and other documentation) and education.

- (a) It shall be the responsibility of the involved employee to provide the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the employee's training file.

211.5.5 MEDICAL FILE

A medical file shall be maintained separately from all other files and shall contain all documents relating to the employee's medical condition and history, including but not limited to:

- (a) Materials relating to medical leaves of absence.
- (b) Documents relating to workers' compensation claims or receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal an employee's medical condition.
- (e) Any other documents or material that reveals the employee's medical history or medical condition, including past, present or potential psychological or physical limitations.

211.6 PURGING OF FILES

All disciplinary files and investigations of complaints not pending litigation or other ongoing legal proceedings may be purged no sooner than two years from the underlying complaint date.

- (a) Each supervisor responsible for completing the employee's performance evaluation shall also determine whether any prior sustained disciplinary file should be retained beyond the statutory period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the applicable statutory period, approval for such retention shall be obtained through the chain of command from the Sheriff.

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- (c) During the preparation of each employee's performance evaluation, all complaints and discipline should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. If, in the opinion of the Sheriff, a complaint or disciplinary action beyond the statutory retention period is no longer relevant, all records of such matter may be destroyed pursuant to resolution.

211.7 BRADY MATERIAL IN PERSONNEL FILES

The purpose of this section is to establish a procedure for releasing potentially exculpatory information (*Brady* material) contained within personnel files.

If an employee is a material witness in a criminal case, a person or persons designated by the Sheriff may examine the subject deputy's personnel file to determine whether it contains *Brady* material.

Brady material includes all material evidence and facts that are reasonably believed to be exculpatory to any individual in a case (to impeach a witness, for example). Evidence or facts are considered material if there is a reasonable probability that they may affect the result of any criminal proceeding, including sentencing. If potential *Brady* material is located, the prosecuting attorney shall be notified.

Because a determination of what is or is not *Brady* material will often require legal or even judicial review, any questions should be resolved by the prosecuting attorney.

Prior to the release of any materials pursuant to this process, the custodian of records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.

211.8 RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF OFFICERS/DEPUTIES

Personnel records and records related to certain incidents, complaints, and investigations of deputies shall be released pursuant to a proper request under the Public Records Act and subject to redaction and delayed release as provided by law.

The custodian of records should work as appropriate with the Sheriff or the Internal Affairs Unit supervisor in determining what records may qualify for disclosure when a request for records is received and if the requested record is subject to redaction or delay from disclosure.

For purposes of this section, a record includes (Penal Code § 832.7(b)(2)):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against a deputy in connection with an incident, or whether the deputy's action was consistent with law

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and office policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take.

- Documents setting forth findings or recommending findings.
- Copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the *Skelly* or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Unless a record or information is confidential or qualifies for delayed disclosure as provided by Penal Code § 832.7(b)(7) or other law, the following records shall be made available for public inspection upon request (Penal Code § 832.7):

- (a) Records relating to the report, investigation, or findings:
 1. The discharge of a firearm at another person by a deputy.
 2. The use of force against a person resulting in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) by a deputy.
- (b) Records relating to an incident where a sustained finding (see the Personnel Complaints Policy) was made by the Office or oversight agency regarding:
 1. A deputy engaged in sexual assault of a member of the public (as defined by Penal Code § 832.7(b)).
 2. Dishonesty of a deputy relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another deputy, including but not limited to any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.

A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure (Penal Code § 832.7(b)(3)).

When an investigation involves multiple deputies, the Office shall not release information about allegations of misconduct or the analysis or disposition of an investigation of a deputy unless it relates to a sustained finding of a qualified allegation as provided by Penal Code § 832.7(b)(4) against the deputy. However, factual information about the action of the deputy during an incident or the statements of a deputy shall be released if the statements are relevant to a sustained finding of a qualified allegation against another deputy that is subject to release (Penal Code § 832.7(b)(4)).

A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint, shall not be released if the complaint is frivolous or if the complaint is unfounded (Penal Code § 832.7(b)(8)).

211.8.1 REDACTION

The custodian of records, in consultation with the Sheriff or the authorized designee, shall redact the following portions of records made available for release (Penal Code § 832.7(b)(5)):

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- (a) Personal data or information (e.g., home address, telephone number, identities of family members) other than the names and work-related information of deputies
- (b) Information that would compromise the anonymity of complainants and witnesses
- (c) Confidential medical, financial, or other information where disclosure is prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about misconduct and serious use of force
- (d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the deputy or another person

Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(6)).

211.8.2 DELAY OF RELEASE

Unless otherwise directed by the Sheriff, the custodian of records should consult with a supervisor familiar with the underlying investigation to determine whether to delay disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury due to any of the following conditions (Penal Code § 832.7):

- (a) Active criminal investigations
 - 1. Disclosure may be delayed 60 days from the date the use of force occurred or until the District Attorney determines whether to file criminal charges, whichever occurs sooner.
 - 2. After the initial 60 days, delay of disclosure may be continued if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against a deputy or against someone other than a deputy who used the force.
- (b) Filed criminal charges
 - 1. When charges are filed related to an incident where force was used, disclosure may be delayed until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea has passed.
- (c) Administrative Investigations
 - 1. Disclosure may be delayed until whichever occurs later:
 - (a) There is a determination from the investigation whether the use of force violated law or office policy, but no longer than 180 days after the date of the office's discovery of the use of force or allegation of use of force
 - (b) Thirty days after the close of any criminal investigation related to the deputy's use of force.

Personnel Records

211.8.3 NOTICE OF DELAY OF RECORDS

When there is justification for delay of disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury during an active criminal investigation, the custodian of records shall provide written notice of the reason for any delay to a requester as follows (Penal Code § 832.7):

- (a) Provide the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. The notice shall also include the estimated date for the disclosure of the withheld information.
- (b) When delay is continued beyond the initial 60 days because of criminal enforcement proceedings against anyone at 180-day intervals provide, the specific basis that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and the estimated date for disclosure.
 - 1. Information withheld shall be disclosed when the specific basis for withholding the information is resolved, the investigation or proceeding is no longer active, or no later than 18 months after the date of the incident, whichever occurs sooner, unless:
 - (a) When the criminal proceeding is against someone other than a deputy and there are extraordinary circumstances to warrant a continued delay due to the ongoing criminal investigation or proceeding, then the Office must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest for prompt disclosure of records about use of serious force by deputies.

In cases where an action to compel disclosure is brought pursuant to Government Code § 6258, the Office may justify delay by filing an application to seal the basis for withholding if disclosure of the written basis itself would impact a privilege or compromise a pending investigation (Penal Code § 832.7(b)(7)).

Administrative and Supervisory Inspections

212.1 PURPOSE AND SCOPE

The purpose of this policy is to establish both regularly scheduled and unannounced inspections of the facility's living and activity areas. This is to encourage contact with staff and inmates and to observe inmate living and working conditions. Inspections may be useful in identifying deficiencies, which can be corrected, as well as processes working properly, which may be replicated elsewhere in the facility.

212.2 POLICY

Tours and inspections shall be conducted by administrative and supervisory staff throughout the jail to facilitate and encourage communication among administrators, managers, supervisors, staff employees, inmates and the visiting public.

212.3 INSPECTIONS

The Jail Commander is responsible for ensuring that scheduled and unscheduled inspections, visits and contacts are implemented to minimally include:

- (a) The general conditions and overall climate of the facility.
- (b) The living and working conditions of inmates.
- (c) Communication between administrators, managers, supervisors, staff, inmates and the visiting public.
- (d) Compliance with policies.
- (e) Safety, security and sanitation concerns.
- (f) Inmate concerns.
- (g) Meal services.

212.3.1 AREAS TO BE INSPECTED

Supervisor inspections should occur in all occupied areas of the facility on a daily basis, including weekends and holidays. Inspections should be conducted randomly and special effort should be given to tour and informally inspect the following areas:

- Inmate housing areas
- Booking and receiving areas, including holding cells
- Exercise yard and recreation areas
- Visiting and program areas
- Medical and dental service areas
- Vocational work areas, e.g., the kitchen, janitorial closets

Administrative and Supervisory Inspections

- Sallyports and transportation staging areas

212.4 INSPECTIONS OF SECURITY EQUIPMENT

The watch supervisor shall be responsible for conducting daily inspections of all security devices, identifying those in need of repair or maintenance and reporting this on the daily shift log.

212.5 DOCUMENTATION AND REPORTING

Each watch supervisor conducting the inspection or tour shall document the activity in the daily shift log. The log should include any significant findings that indicate remedial action or training may be needed. Significant issues of security or safety shall be addressed promptly. Commendable or successful actions that should be replicated elsewhere in the facility should also be noted in the log.

Perimeter Security

213.1 PURPOSE AND SCOPE

The purpose of this policy is to establish this facility's perimeters, to ensure that incarcerated inmates remain inside the perimeters, and that visitors, vendors, volunteers and employee access is granted only with proper authorization and through designated safety vestibules and sallyports. The secure perimeter of this facility will provide protection from the escape of persons being processed, held or housed, and will act as a defense against the entry of unauthorized persons. It shall be maintained to prevent contraband from entering the secure areas of the facility (Title 15 CCR § 1029(a)(6)).

213.2 POLICY

All entry points to the secure perimeter of the facility shall be monitored and controlled continuously by Central Control staff. The entire perimeter shall be inspected, maintained, monitored and continuously assessed to ensure its physical integrity and prevent unauthorized entry, inmate escape and contraband from entering the facility.

213.2.1 VISITORS

This facility shall be maintained as a secure area and no person shall enter any portion of the inner perimeter without specific authorization from the Jail Commander or the authorized designee. All visitors shall be required to provide satisfactory identification, such as a valid driver's license, valid passport or military identification. Visitors shall be required to sign in on the visitor log and state the reason for the visit.

213.3 PROCEDURE

The secure perimeter shall be maintained by assigned staff as well as a contracted law enforcement agency. The Jail Commander or the authorized designee shall ensure that a staffing plan is in place to monitor the secure perimeter of this facility. Suspicious activity at or near the perimeter shall immediately be reported to the Shift Supervisor and the Central Control. The Central Control staff shall initiate an appropriate law enforcement response.

Individuals suspected to be in violation of any law may be subject to detention or arrest. Warrant checks should be conducted on all individuals who are on the property without proper authorization. Individuals found to be loitering on or around the perimeter of the facility will be stopped and questioned to determine the circumstances of their presence. They may be denied entrance into the facility.

The Central Control staff shall identify all persons seeking to gain access to the secure perimeter of the facility. Persons delivering goods or services shall identify themselves to the Central Control staff prior to being allowed access to the delivery area.

Materials delivered to or transported from the facility's secure perimeter shall be inspected for contraband. Vendors making deliveries into the secure area of the facility will do so under the supervision of custody staff.

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Keys to the secure perimeter shall be easily identifiable and issued only in emergency situations or with the authorization of the Jail Commander.

Weapons lockers are provided [REDACTED]. All weapons must be secured prior to an individual being allowed to enter the facility.

The sallyport and the secure garage are to be used for the transfer of inmates.

Operation of the sallyport doors will be done in such a manner as to effectively control movement into and out of the secure inner perimeter of this facility. Central Control staff are responsible for ensuring all perimeter surveillance equipment is in good working order and shall immediately report malfunctions or failures to the on-duty supervisor.

Outer perimeter security may be accomplished by using fencing or another type of barrier. These barriers should be designed to route vehicular and pedestrian traffic away from non-public areas. Outer perimeter lighting should be designed to illuminate all areas of the exterior to allow visual inspection by video monitor or perimeter patrols.

Accessibility - Facility and Equipment

214.1 PURPOSE AND SCOPE

This policy is intended to ensure that staff and the general public have access to the facility, in compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, 29 USC § 794.

214.1.1 DISABILITY DEFINED

A disability is any physical or mental impairment that substantially limits one or more major life activities. These include, but are not limited to, any disability that would substantially limit the mobility of an individual or an impairment of vision and/or hearing, speaking or performing manual tasks that require some level of dexterity. Additionally, disability includes a physical or mental impairment that would inhibit a person's ability to meet the requirements established by the Office for conducting visitation or other business in the facility.

214.2 POLICY

The Kings County Sheriff's Office prohibits discrimination of persons with disabilities. The Kings County Sheriff's Office adheres to the ADA and all other applicable federal and state laws, regulations and guidelines in providing reasonable accommodations to ensure that the facility is reasonably accessible to the public and usable by staff and visitors with disabilities.

214.2.1 ACCOMMODATIONS

As part of the compliance with the ADA and the commitment to provide access to persons with disabilities, the Office will provide reasonable accommodations in areas that include, but are not limited to:

- Vehicle parking areas that accommodate cars and vans or other vehicles with wheelchair lifts.
- Public areas that are wheelchair accessible.
- Drinking fountains that can accommodate wheelchairs or other mobility devices.
- ADA-compliant elevators.
- Restroom areas that are wheelchair compliant and meet ADA standards for accessibility.
- Search areas and metal detection devices, including private areas where alternative search methods may be performed.
- Services and equipment for the deaf and hard of hearing.
- Visitor check-in areas.
- Visitation areas, including attorney interview rooms that can accommodate wheelchairs and other mobility devices.

News Media Relations

215.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to this facility's incidents and general public information.

215.2 POLICY

It is the policy of this office that the ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff. However, in situations not warranting immediate notice to the Sheriff and in situations where the Sheriff has given prior approval, the Jail Commander or designated Public Information Officer may prepare and release information to the media in accordance with this policy and applicable law (15 CCR 1045).

215.2.1 MEDIA REQUEST

Any media request for information or access to this facility shall be referred to the designated Public Information Officer, or if unavailable, to the Facility Commander. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this office make any comment or release any official information to the media without prior approval from the designated Public Information Officer.
- (b) Any and all local media has the contact information to the Agencies Public Information Officer.
- (c) In any situation involving a law enforcement agency, reasonable efforts shall be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this office.
- (d) Under no circumstance should any member of this office make any comment to the media regarding any law enforcement or corrections-related incident that does not involve this office without prior approval of the Sheriff or the authorized designee.

215.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, investigations, emergencies and other law enforcement activities related to this facility, subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times.
- (b) Media representatives may be prevented from interfering with emergency operations and investigations.
 - 1. In situations where media access would reasonably appear to interfere with the facility's security, emergency operations and/or an investigation, every

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reasonable effort should be made to provide media representatives with information regarding the incident in such a manner that does not compromise the safety and security of the inmates, staff or the facility itself. All data released to the media should be coordinated through the office Public Information Officer or other designated spokesperson.

- (c) No member of this office shall be subjected to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Sheriff and the express consent of the person in custody. The supervisor shall obtain a signed waiver from the inmate prior to being interviewed, photographed or videotaped.

215.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of personnel working in this facility, advance information about planned actions by custody personnel, such as movement of persons in custody or the execution of a mass arrest in which field booking is arranged, should not be disclosed to the news media nor should media representatives be invited to be present at such actions except with the prior approval of the Sheriff.

Any exceptions to the above should only be considered for the furtherance of this facility's legitimate purposes. Prior to approving any exception, the Sheriff will consider, at minimum, whether the release of information or the presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

215.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Office will maintain a daily log of individuals who are currently in custody or were recently booked. Unless restricted by law and except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation, the following information on inmates and persons booked is considered public information and can be released upon request:

- (a) The full name and occupation of the inmate
- (b) The inmate's physical description, including date of birth
- (c) Date and time of arrest
- (d) Date and time of booking
- (e) Location of arrest
- (f) The factual circumstances surrounding the inmate's arrest

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- (g) All charges the inmate is being held on, including outstanding warrants, probation/parole holds
- (h) Amount of bail
- (i) The time and manner of the inmate's release or the location where the inmate is currently being held
- (j) Court appearance dates
- (k) Arresting agency

Information on this facility's policies and procedures regarding non-security related matters, (i.e., programs, facility rules and regulations, visitation, health care, religious services) can be released to the general public by any custody staff member. A copy of the applicable portions of this facility's policy and procedures manual can be made available for public review with the approval of the Sheriff.

Any information related to the applicable portions shall be redacted before being provided to the general public. Applicable regulations for the operation of a custody facility can be made available for review by the public and inmates. Inmates can request a copy through the Facility Commander.

Information related to escapes, suicides or crimes occurring in this facility shall only be released with the approval of the Jail Commander or the authorized designee.

Information concerning incidents involving certain sex crimes and other offenses set forth in all applicable laws shall be restricted.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or until otherwise cleared by the coroner's/medical examiner's office or otherwise required by law.

215.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the Jail Commander or the authorized designee to ensure that restricted information is not inappropriately released to the media by this office. When in doubt, authorized and available legal counsel should be consulted.

Examples of such restricted information include, but are not limited to:

- (a) Confidential personnel information concerning staff and volunteers of the Office.
 - 1. The identities of custody personnel involved in major incidents may only be released to the media pursuant to consent of the involved personnel or upon a request processed in accordance with the Public Records Act.
- (b) Criminal history information.
- (c) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

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- (d) Information pertaining to pending litigation involving this office.
- (e) Information obtained in confidence.
- (f) Any information that is otherwise privileged or restricted under state or federal law.

Community Relations and Public Information Plan

216.1 PURPOSE AND SCOPE

This policy provides guidelines to custody personnel when dealing with the general public or interested groups when requests are received to share information regarding the operations and policies of the facility (15 CCR 1045). (See the News Media Relations policy for guidance on media releases.)

216.2 RESPONSIBILITIES

The Jail Commander is responsible for ensuring that the following information is public and available to all who inquire about it.

- (a) The Board of State and Community Corrections Minimum Standards for Local Detention Facilities as found in Title 15 of the California Code of Regulations.
- (b) Facility rules and procedures affecting inmates as specified in 15 CCR sections:
 - 1. 1045, Public Information Plan
 - 2. 1061, Inmate Education Plan
 - 3. 1062, Visiting
 - 4. 1063, Correspondence
 - 5. 1064, Library Service
 - 6. 1065, Exercise and Recreation
 - 7. 1066, Books, Newspapers, Periodicals and Writings
 - 8. 1067, Access to Telephone
 - 9. 1068, Access to Courts and Counsel
 - 10. 1069, Inmate Orientation
 - 11. 1070, Individual/Family Service Programs
 - 12. 1071, Voting
 - 13. 1072, Religious Observance
 - 14. 1073, Inmate Grievance Procedure
 - 15. 1080, Rules and Disciplinary Penalties
 - 16. 1081, Plan for Inmate Discipline
 - 17. 1082, Forms of Discipline
 - 18. 1083, Limitations on Discipline
 - 19. 1200, Responsibility for Health Care Services

Community Relations and Public Information Plan

This information is to be made available at the facility's front desk and assembled into a binder or clearly posted for public viewing. Additionally, a copy should be made available in this facility's library or provided by other means for use by inmates. At the discretion of the Sheriff, the information may also be made available electronically. No information will be released on persons whose booking process is not completed.

216.3 PROHIBITED MATERIALS

Policies, procedures and other information and materials related to the safety and security of inmates, custody personnel, the facility or the maintenance of order should not be provided as a part of the public information material unless directed by the Sheriff.

216.4 TOURS OF THE CUSTODY FACILITY

Tours of this facility may be arranged through the Jail Commander or their designee. Authorized tours are subject to facility rules and restrictions:

- (a) Persons who tour this facility must be of an appropriate age as determined by the Sheriff.

A record of all facility tours should be maintained in accordance with applicable retention requirements.

216.5 POLICY

It is the policy of the Kings County Sheriff's Office to protect the privacy rights of individuals while releasing non-confidential information to interested groups when requests are received. Information that has the potential to affect the safety and security of the Jail or an investigation will not be released.

Victim Notification of Inmate Release

217.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure victims of crimes receive notice when an inmate held for those crimes is released, and that victims receive any other notification required by California law.

217.1.1 VICTIM DEFINED

For the purposes of this policy, a victim is a person who suffers from the destructive or injurious, serious illegal act of another, or an immediate family member of a victim of a serious crime.

217.2 POLICY

It is the policy of this office to act in accordance with all laws regarding victim notification.

217.3 PROCEDURE

The Jail Commander shall ensure that a system is in place for individuals to request release notification on any inmate housed in this facility.

Notification requests or requirements that are known during the booking process should be documented in the appropriate designated section of the inmate's booking file.

In the event that an individual contacts this facility and requests notification on any inmate housed in this facility, staff should notify a supervisor, who will determine whether notifications are required or appropriate, and ensure the notification request and determination is documented in the inmate's file.

217.4 NOTIFICATION

VINE €" Victim Information & Notification Everyday

A program designed to track and be notified of the custody status of offenders

To search for offenders in jail and register for notifications on custody updates, select the VINE link above or on the left menu.

County service offers added protection for crime victims, public

Kings County residents now have fast access to custody information on offenders throughout King County. An automated service citizens can access, 24-hours-a-day either by telephone or the Internet, VINE is available in English and Spanish.

People calling 1(800) 491-0689 are asked to provide an offender's name or booking number. After the system has provided the relevant custody information, it asks the caller if they would like to register to be automatically notified when the offender is released or transferred. All registrations are confidential. Those choosing to register provide a phone number, and a four-digit personal identification number (PIN), which they will later use to confirm they received a notification call that an offender was released or transferred.

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Live operator assistance is available round-the-clock for callers who have questions or require additional help. Citizens can also go on line at www.vinelink.com to locate and register.

VINE is a nationwide service used in more than 40 states. Some of the nation's largest metropolitan areas, such as New York City, Chicago, Los Angeles, Miami, and Washington, D.C., are also involved in this program.

Unless ordered by the court or a supervisor, no victim information shall be provided to any inmate by any employee or volunteer of this facility. Any unauthorized access or release of victim information is a direct violation of victim confidentiality and applicable policies, and may be subject to disciplinary action, up to and including termination from employment and/or criminal prosecution.

217.4.1 REQUIRED NOTIFICATIONS

The Shift Supervisor or the authorized designee shall make a reasonable and good faith effort to make all notifications required by law including:

- (a) Notice to any person a court identifies as a victim of the offense, a family member of the victim, or a witness to the offense not less than 15 days prior to the release of any person convicted of stalking under Penal Code § 646.9 or convicted of a felony involving domestic violence (Penal Code § 646.92(a)).
- (b) Notice to any person a court identifies as a victim of the offense, a family member of the victim, or a witness upon escape and capture of any person convicted of violating Penal Code § 646.9 or convicted of a felony offense involving domestic violence (Penal Code § 646.92(d)).
- (c) Notice to any victim or other affected person who has requested notification that an inmate convicted of the offenses listed in Penal Code § 679.02(a)(13) has been ordered placed on probation and the proposed date of release (Penal Code § 679.02(a)(14)).
- (d) If the crime was a homicide, notice to any victim or the next of kin of the victim within 60 days of an inmate's placement in a reentry or work furlough program, or of the inmate's escape (Penal Code § 679.02(a)(6)).
- (e) Notice of the release of any inmate to victims of crime who have requested to be notified
- (f) Notice to law enforcement agencies known to be involved with the case upon any escape and capture of an inmate.

Notification should be made by telephone, certified mail, or electronic mail, using the method of communication selected by the person to be notified, if that method is reasonably available. In the event the person's contact information provided to the Office is no longer current, the Office shall make a diligent, good faith effort to learn the whereabouts of the victim in order to comply with these notification requirements. Notification shall only be left on a messaging system if the

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Victim Notification of Inmate Release

person has indicated in the notification request that such notification is acceptable or if staff has attempted and cannot make other contact with the person.

If contact cannot be made and no means exist to leave a message with the person, the Shift Supervisor or the authorized designee should request the law enforcement agency having jurisdiction where the person resides perform a welfare check. Subsequent and continuing attempts shall be made to contact the person using the numbers listed in the notification request. All attempts to contact shall be documented on the victim notification request form.

Community Service Program

218.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for developing community service programs that are intended to provide work opportunities for inmates and needed services to the community.

218.2 POLICY

It is the policy of the Kings County Sheriff's Office to promote community service programs that provide work opportunities for inmates and will support public works projects, such as maintenance to county roadways or parks. Activities that benefit individuals, businesses or other private entities that are not considered a public works project are prohibited.

218.3 PROGRAM GUIDELINES

Any community service program is subject to the approval of the Jail Commander or the authorized designee.

Any such program shall be subject to the following guidelines:

- (a) The program complies with all statutes, ordinances, regulations, labor agreements, permissions or restrictions relating to inmates whenever they are assigned to public works and community service projects.
- (b) There is an availability of inmates who, as a matter of classification, are deemed to be eligible for participation in the community service program.
- (c) The number of work opportunities available in the community will determine the availability of opportunities to participate in the community service program.
- (d) Staff assigned to manage the program should strive to develop work assignments that give inmates an opportunity to develop good work habits and attitudes that can be applied to jobs obtained after release.
- (e) Victim and community input should be solicited and considered when developing community service programs.
- (f) There shall be sufficient staff assigned to supervise inmate work crews.
- (g) Inmates shall receive appropriate training for the work assignment and the use of any related tools or equipment.
- (h) The inmate workday should approximate the typical workday in the community for the type of work being performed. The normal work hours should not exceed eight hours per shift and must include adequate break and meal time.
- (i) Inmate performance while in the program should be regularly evaluated and recorded. Poor performance in the work program or violation of rules may render the inmate ineligible to participate in the work program. Any violation of work rules may result in

Community Service Program

disciplinary action that may include the loss of credits previously awarded for good behavior and work time. Inmates who do not comply with program rules, or for any reason cannot work, will be reclassified in accordance with the policies and procedures of the Kings County Sheriff's Office.

- (j) The working conditions for any inmate must comply with all applicable federal, state or local work safety laws and regulations.

218.4 IMPLEMENTATION OF COMMUNITY SERVICES PROGRAM

The implementation and operation of the Community Service Plan is dependent on:

- (a) Adequate number of Sheriff's staff to supervise program.
- (b) Available inmates with proper classification status to fill program.
- (c) Adequate resources to support this program.

While it is the intent of this Office to fully operate this program, operations may be delayed or interrupted depending on changing conditions within the Jail.

218.5 SELECTION PROCESS

Participation in any community service program is strictly voluntary. A classification process that clearly describes the criteria for program participation will be developed by the supervisor in charge of the program.

Any inmate desiring to participate in a community service program is subject to the following:

- (a) The inmate must submit to a screening process, including a criminal history check, to ensure that his/her criminal history is compatible with work in non-secure areas.
- (b) The inmate must agree in writing to participate in a community service program.
- (c) Inmates may be charged a fee for participation in the program in order to offset the cost of administration and staffing.

Vehicle Safety

219.1 PURPOSE AND SCOPE

It is the policy of this office to maintain and operate the vehicles assigned to this facility in a lawful and safe manner. The Office utilizes office-owned motor vehicles for a variety of applications. To maintain a system of accountability and ensure that office-owned vehicles are used appropriately, regulations relating to the use of these vehicles have been established. The term "office-owned" as used in this section also refers to any vehicle leased or rented by the Office.

219.2 USE AND SECURITY OF OFFICE VEHICLES

All staff members who operate office-owned or leased vehicles must comply with all applicable state laws and must possess a valid driver's license endorsed for the type of vehicle operated.

219.2.1 USE OF SEAT BELTS

The use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic collision. This policy establishes guidelines for seat belt use to promote maximum operator and passenger safety, thus reducing the possibility of death or injury as the result of a motor vehicle crash. This policy will apply to all members operating or riding in office vehicles.

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this office, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

Whenever possible, inmates should be secured in a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts. The inmate should be in the seating position for which seat belts have been provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

No person shall operate any office vehicle in which the seat belt in the driver's position is inoperable. No person shall be transported in a seated position in which the seat belt is inoperable.

No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts, except for vehicle maintenance and repair staff, who shall do so only with the express authorization of the Sheriff.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

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Vehicle Safety

219.2.2 VEHICLE SECURITY

Office vehicles will be locked and the keys will be secured when not in use. The staff will make every effort to ensure that the vehicles are parked in a secure location.

Under no circumstances will inmates be allowed to operate a vehicle or have possession of any vehicle keys. Inmate workers who are assigned to clean vehicles must be closely supervised by staff.

The loss of any vehicle key shall be promptly reported, in writing, to the on-duty supervisor.

219.3 VEHICLE INSPECTIONS

All office-owned vehicles are subject to inspection and or search at any time by a supervisor. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or any of its contents, regardless of who owns the contents.

219.4 VEHICLE SAFETY REPAIRS

Anyone authorized to drive office vehicles is responsible for assisting in maintaining the vehicles so that they are properly equipped, maintained and refueled and present a clean appearance.

Anyone authorized to drive office vehicles is responsible for inspecting the interior and exterior of any assigned vehicle before placing the vehicle into service and again at the conclusion of his/her shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

Vehicles that are deemed as unsafe shall not be used until necessary repairs are made. The written request for repairs shall be submitted to the County Shop before the operator checks out a replacement vehicle. The Jail Commander or the authorized designee shall monitor the maintenance requests and ensure that the necessary repairs are made before the vehicle is placed back into service.

Annual vehicle safety inspections will be conducted on all vehicles that are owned, leased or used by the Office. Inspections will be conducted by the County Shop and all inspection reports will be made available to the Office upon request.

219.5 COLLISION DAMAGE, ABUSE AND MISUSE

When any office-owned or leased vehicle is involved in a traffic collision, the involved member shall promptly notify a supervisor. A traffic collision report shall be filed with the agency having jurisdiction. The employee shall complete an incident report documenting the accident and provide the completed incident report to their watch supervisor. The watch supervisor will forward a copy of the incident report to the Facility Commander.

When a collision involves any office vehicle or when a member of this office is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death or potentially involves any criminal charge, an outside agency should be summoned to handle the

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investigation. If the employee is incapable of completing the office's incident report, a supervisor shall complete it.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered. It shall be documented on an incident report and forwarded to the Shift Supervisor. An administrative investigation will be conducted to determine if there is any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

Reserve Detention Deputy

220.1 PURPOSE AND SCOPE

Some of the department's Detention Deputies as defined under CA penal Code 830.1(c) also have completed a P.O.S.T. certified Police Academy and qualify to be employed as peace officers per 830.1(a) of the Penal Code. However based on FLSA employment laws the Detention Deputies are not eligible to work as deputies or officers for any agency in the county in which they are employed. Unless they terminate their employment as a Detention Deputy. They may however request permission to seek "outside employment" as a reserve officer/deputy for any agency outside of the County of Kings.

Smoking and Tobacco Use

221.1 PURPOSE AND SCOPE

The U.S. Surgeon General has determined that the use of tobacco in any form can be hazardous to one's health. Tobacco products may also be offensive to other employees and the public.

221.2 POLICY

Smoking and use of other tobacco products including electronic cigarettes is not permitted inside office facilities or any office vehicle, or any other county building (CA Labor Code § 6404.5). It shall be the responsibility of all employees to ensure that no person, including inmates, smokes or uses any tobacco product inside office facilities and vehicles.

No person shall smoke tobacco products or electronic cigarettes within 20 feet of a main entrance, exit or operable window of any public building, including any office facility, or buildings on the campuses of the University of California, California State University and California community colleges, whether present for training, or any other purpose (CA Gov't Code § 7596 et seq.).

Employees are prohibited from smoking or using tobacco products and/or electronic cigarettes while in public view.

Personal Electronic Devices and other Prohibited Distractions

222.1 PURPOSE AND SCOPE

The purpose of this policy is to maintain staff and inmate safety, and facility security by preventing the intentional and unintentional introduction of contraband into secured areas of the facility and to eliminate unauthorized distractions and devices.

222.2 POLICY

It is the policy of the Kings County Sheriff's Office Jail Division that employees shall not engage in any activities that may distract them from the performance of their duties.

It is the policy of the Kings County Sheriff's Office Jail Division that wireless internet devices, portable game systems, USB drives and other personal electronic storage/media devices that are not issued by the Sheriff's Office may be used in designated break areas, while on break or at lunch, but not while on duty and/or at duty stations. The designated break area for the Main Jail is at the south end of the facility.

This policy does not apply to Sheriff's Office personnel assigned cell phones, pagers, USB drives or any other storage/media devices needed in the scope of his or her assigned duties.

222.2.1 DEFINITION

ELECTRONIC DEVICE- means an electronic or electrical device used to conduct oral, written, or visual communication; place or receive a telephone call; send or read an electronic mail message or text message; take photos or look at pictures; read a book or other written materials; play a game; navigate the Internet; play, view or listen to a video, television broadcast, radio broadcast, or music; or perform any other function that is not necessary for the health or safety of the person.

PERSONAL ELECTRONIC DEVICE- means an electronic device that was not provided to the employee by the Sheriff's Office for a business purpose.

222.3 PROCEDURE

USE OF PERSONAL ELECTRONICS DEVICES

A. Electronic devices that are not issued by the Sheriff's Office may be used in designated break areas, while on break or at lunch, but not while on duty and/or at a duty station.

PROHIBITED ACTIVITIES

Employees shall not engage in any activity that may distract from the performance of their duties. This includes, but is not limited to the following:

A. Watching television, videos or movies

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B. Listening to music at a level that impairs the ability to hear radio transmissions, inmates, intercoms, etc.

C. Using headphones, earphones, ear buds, or other listening devices, whether on, or in the ear.

D. Using cell phones or other electronic devices. This includes, but is not limited to: receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email or instant messaging, checking for phone messages, playing electronic games, watching video recordings or television broadcasts, listening to music, taking photos, or accessing any other application that is included or installed in the memory of the device.

1. At no time shall any such device be used in the presence of inmates.

2. At no time will an inmate be allowed to use a cell phone while in custody, unless ordered by a judge and/or approved by the Facility Commander.

3. If an electronic device is lost or misplaced while on duty, the Facility Sergeant/Supervisor shall be notified immediately. It will be the responsibility of the sergeant to notify the facility lieutenant/commander. If this occurs after normal business hours, notify the on-call facility lieutenant/commander.

222.4 CONTACT INFORMATION

To maintain proper security and utilize reliable safeguards to protect information concerning the Kings County Sheriff's Office against unauthorized access or disclosure, all KCSO Detentions Division employees are required to own a personal contact number so that the Office may contact them in the event of an emergency situation and/or for the purpose of distributing secure information intended for employee use only. Employees are required to keep the Office informed of any changes to their contact information.

Out-of-State Warrants

223.1 OUT-OF-STATE WARRANTS

Procedures for Processing Out-of-State Warrants

When an arrestee is booked into the Kings County Jail on an out-of-state warrant, it will be the responsibility of the jail to determine the bail amount. A Kings County Jail employee will locate the section in the felony bail schedule that lists section PC 1551 and choose the appropriate bail amount which will be dependent on the charge(s) listed on the out-of-state warrant.

If the out-of-state warrant consists solely misdemeanor charges, the bail amount will be set at \$25,000.00 and if the out-of-state warrant contains a felony charge, select the "No Bail" option.

If unable to determine whether the charges are felonies or misdemeanors, select "No Bail."

It will be the responsibility of the Booking supervisor to contact the on-call Kings County detective to notify them of any out-of-state warrant that is booked into custody. The Booking supervisor will also be responsible for notifying the Kings County Detective's Sergeant via email. Information required in the notification email will be: Subject's name, date of birth, bail amount, warrant/case number and the state which issued the warrant.

The jail will require that a Probable Cause Declaration be supplied by the arresting agency.

In the event an out-of-state warrant is brought into custody after 12:00pm on Thursday or any time on Friday, the on-call judge will need to sign the Probable Cause Declaration within 48 hours. The court date will be set on the next available court day.

Procedures for Processing an Out-of-State Warrant with an Out-of-County Warrant

When an arrestee is booked into the Kings County Jail on an out-of-state warrant and an out-of-county warrant, it will be the responsibility of the jail to contact the county holding the warrant and to provide pick-up requirements. The employee will include information regarding the out-of-state warrant in their teletype to the county holding the warrant, informing them that the Kings County Jail will be sending an out-of-state warrant with the inmate upon pick-up.

Kings County Detectives will be emailed in regards to the out-of-state warrant. The email will include: Subject's name, date of birth, bail amount, warrant/case number and the state which issued the warrant. The email will also include the out-of-county warrant information and the pick-up requirements that were provided to the county holding the out-of-county warrant.

No out-of-state warrant will be entered into the offense or bond tab of Spillman when an out-of-state warrant is accompanied by an out-of-county warrant. The out-of-state warrant will be entered as a hold in the "Holds" tab. Include the state which holds the warrant, the bail amount and the warrant/case number in the area which allows for text. The out-of-state warrant will be provided to the in-state agency that picks the inmate up on their out-of-county warrant.

An inmate may post bail for their out-of-county warrant, granted their out-of-state warrant does not have a "no bail" hold. It will be required that the inmate post bail for the out-of-state warrant

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prior to being released from custody on their bond for the out-of-county warrant. The out-of-state warrant will need to be added to the offense and bond tabs in Spillman. The jail will require two separate bonds from the bond agency. The bond for the out-of-state warrant will be accepted with information from the Kings County Superior Court and the bond for the out-of-county warrant will contain the appropriate information for the county holding the warrant.

It will be the responsibility of jail staff to notify both the detective's supervisor and the detective(s) handling the out-of-state warrant via email if the inmate is released after posting bail.

Jail staff will also send a teletype notifying the county that held the out-of-county warrant of the inmate's release. In the teletype provide the court appearance information which is listed on the bail bond.

Personal Appearance of Detentions Technician Personnel

224.1 UNIFORMS FOR CIVILIAN STAFF

A. MALE PERSONNEL

General - Males will dress in a neat, professional, business-like manner: Department issued polo shirt, slacks or pants. Good judgment shall prevail. The Commander or their designee may grant exceptions during special assignments.

Shirt - Department issued polo short sleeve shirt with Sheriff star insignia on left front and first name of employee and job title (Detentions Technician) on right front. Shirts are available through uniform apparel stores (see Administrative Sergeant for more information on stores). Polo shirts may be ordered in the following colors for Detentions Technician job assignment. No other color will be permitted without prior approval by the Commander or their designee:

- (a) 5.11 Professional Polo - L. E. Green or Silver Tan
- (b) Cornerstone Snag Proof Tactical Polo - Dark Green or Tan - #CS410/CS411
- (c) Cornerstone Snag Proof Non-Tactical Polo - Dark Green or Tan - #CS412/CS413
- (d) Cornerstone Industrial Pique Polo Non-Tactical - Dark Green or Stone - #CS402/CS403
- (e) Cornerstone EZ Cotton Tactical Polo - Dark Green or Tan - #CS414
- (f) Gildan Dry Blend Polo - Forrest or Sand - #8800

(Employees are responsible for ensuring that the store they are purchasing the polo shirt from honors the 5.11 Warranty in case a warranty exchange is needed. The employee is responsible for handling warranty issues.)

Slacks/Pants - Pants, slacks and jeans must be full length (no capris, shorts, sweatpants, recreational, leggings, jeggings or leisure pants allowed). Pants, slacks and jeans will not be frayed, torn, tattered or otherwise decorated.

Shoes - Will be closed toe and will have a back strap covering the heel. The following shoes will not be allowed: thongs, zorries, flip-flops, shower shoes, open toed shoes or slippers. Shoes must be appropriate for the employee's duty assignment.

Jewelry - All jewelry shall present a conservative, business-like appearance. Jewelry decoration shall not be worn on the nose, tongue or any part of the body that is visible to the public except as provided below.

- (a) Earrings - Not permitted while on duty
- (b) Rings - If worn, shall be conservative.
- (c) Watch - If worn, shall be only one conservative watch.

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- (d) **Miscellaneous Jewelry** - If worn, shall be approved by the Commander or their designee

Hair - The hair shall be styled in such a manner to not extend into the eyes or otherwise interfere with vision. The back of the hair may be cut in any style as long as it does not extend more than one inch below the top of the shirt collar when the head is held erect. The hair shall be styled in such a fashion to not extend below the middle of the ear. There shall be no extreme styles or unnatural colors. "Natural" hairstyles shall be no longer than four inches from any part of the head. Wigs or hairpieces must conform to the same standards. (No bandanas or other extreme hair fixtures will be worn while on duty.).

Facial Hair - Sideburns shall be no longer than the bottom of the earlobe. They shall be trimmed so that they do not extend and do flare more than 1/2" wider at the bottom than the width of the sideburn. There must be distinct separation between the mustache and the sideburn. Mustaches shall be kept neatly trimmed and well groomed. They shall not extend more than 1/2" beyond or below the corner of the mouth. They shall not be waxed. Goatees must be kept neatly trimmed and well groomed. Beards are not permitted.

Undershirts - Undershirts may be worn with the long and short sleeved department polo shirt. Long sleeved undershirts may be worn with the short sleeved department polo. Undershirts will be either black or white in color with no visible logos or designs.

Sweater/Jacket - A button/zip-up sweater or jacket may be worn while on duty. If worn it must be a solid color with no visible designs or logos. It will be worn in such a way as to not cover the Sheriff's star insignia or the employee's name and title. If the sweater/jacket has a hood, the hood is not to be worn on the head while on duty.

Hats - May be worn while on duty. The approved hat is solid black with the approved embroidered Sheriff's star insignia. The hat may be flex fit or have an adjustable strap. The hat must be maintained in a clean manner and may not be allowed to become discolored or misshapen. No other hat will be permitted. Hats must be worn with the bill facing forward.

B. FEMALE PERSONNEL

General - Females will dress in a neat, professional, business-like manner: Department issued polo shirt, slacks or pants. Makeup shall be conservative. Good judgment shall prevail. The Commander or their designee may grant exceptions during special assignments.

Shirts - Department issued polo short sleeve shirt with Sheriff's star insignia on left front and first name of employee and job title (Detentions Technician) on right front. Shirts are available through uniform apparel stores (see Administrative Sergeant for more information on stores). Polo shirts may be ordered in the following colors for Detentions Technician job assignment. No other shirts will be permitted without prior approval by the Commander or their designee.

- (a) 5.11 Professional Polo - L.E. Green or Silver Tan
- (b) Cornerstone Snag Proof Tactical Polo - Dark Green or Tan - #CS410/CS411
- (c) Cornerstone Snag Proof Non-Tactical Polo - Dark Green or Tan - #CS412/CS413

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- (d) Cornerstone Industrial Pique Polo Non Tactical - Dark Green or Tan - #CS402/CS403
- (e) Cornerstone EZ Cotton Tactical Polo - Dark Green or Tan - CS414
- (f) Gildan Dry Blend - Forrest or Tan - #8800

(Employees are responsible for ensuring that the store they are purchasing the polo shirt from honors the 5.11 Warranty in case a warranty exchange is needed. The employee is responsible for handling warranty issues.)

Slacks/Pants - Pants, slacks and jeans must be full length (no capris, shorts, sweatpants, recreational, leggings, jeggings or leisure pants allowed). Pants, slacks or jeans will not be frayed, torn, tattered or otherwise decorated.

Shoes - Will be closed toe and will have a back strap covering the heel. The following shoe will not be allowed: thongs, zorries, flip-flops, shower shoes, open toed or slippers. Shoes must be appropriate for the employee's duty assignment.

Jewelry - All jewelry shall present a conservative, business-like appearance. Jewelry decoration shall not be worn on the nose, tongue or any part of the body that is visible to the public except as provided below.

- (a) Earring - If worn, must be in the earlobe and shall be conservative.
- (b) Rings - If worn, shall be conservative.
- (c) Watch - If worn, shall be only one conservative watch.
- (d) Miscellaneous Jewelry - If worn, shall be approved by the Commander or their designee

Hair - Hair shall be styled in such a manner to not extend into the eyes or otherwise interfere with vision. There shall be no extreme styles or unnatural colors. Wigs or hairpieces must conform to the same standards. (No bandanas or other extreme hair fixtures will be worn while on duty)

Makeup - The use of facial makeup shall be conservative. Excessive use of lipstick, rouge, foundation, mascara, eyebrow pencil and eye shadow is not permitted. Fingernails shall not interfere with the ability to perform any duty associated with a job assignment.

Undergarments - All females shall wear bras while on duty (to include court appearances or special assignments).

Undershirts - Undershirts may be worn with long and short sleeved department polo shirts. Long sleeved undershirts may be worn with the short sleeved department polo. Undershirts will be either black or white in color with no visible logos or designs.

Sweater/Jacket - A button/zip-up sweater may be worn while on duty. If worn it must be a solid color with no designs or logos visible. It will be worn in such a way as to not cover the Sheriff's star insignia or the employee's name and title. If the sweater/jacket has a hood, the hood is not to be worn on the head while on duty.

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Hats - May be worn while on duty. The approved hat is solid black with the approved embroidered Sheriff's star insignia. The hat may be flex fit or have an adjustable strap. The hat must be maintained in a clean manner and may not be allowed to become discolored or misshapen. No other hat will be permitted. Hats must be worn with the bill facing forward.

DEPARTMENT SPECIALIST/EXTRA HELP DETENTIONS TECHNICIAN

C. MALE PERSONNEL

General - Males will dress in a neat, professional, business like manner: Shirts, slacks or pants. Good judgment shall prevail. The Commander or their designee may grant exceptions during special assignments.

Shirts - Casual shirts are acceptable. No tank tops or see through tops. Tops will not expose the stomach or the back. No visible logos are permitted. Department short sleeved polo shirts are optional and paid for by the employee (for polo requirements refer to Personal Appearance of Detentions Technician Personnel in section 224.1 of this policy manual)

Slacks/Pants - Pants, slacks and jeans must be full length (no capris, shorts, sweatpants, recreational, leggings, jeggings or leisure pants allowed). Pants, slacks and jeans will not be frayed, torn, tattered or otherwise decorated.

Jewelry - All jewelry shall present a conservative, business-like appearance. Jewelry decoration shall not be worn on the nose, tongue or any part of the body that is visible to the public except as provided below.

- (a) Earrings - Not permitted while on duty.
- (b) Rings - If worn, shall be conservative.
- (c) Watch - If worn, Shall be only one conservative watch.
- (d) Miscellaneous Jewelry - If worn, shall be approved by the Commander of their designee

Hair - The hair shall be styled in such a manner to not extend into the eyes or otherwise interfere with vision. The back of the hair may be cut in any style as long as it does not extend more than one inch below the top of the polo sleeved shirt collar when the head is held erect. The hair shall be styled in such a fashion to not extend below the middle of the ear. There shall be no extreme styles or unnatural colors. "Natural" hairstyles shall be no longer than four inches from any part of the head. Wigs or hairpieces must conform to the same standards. (No bandanas or other extreme hair fixtures will be worn while on duty).

Facial Hair - Sideburns shall be no longer than the bottom of the earlobe. They shall be trimmed so that they do not extend and do not flare more than 1/2" wider at the bottom than the width of the sideburn. There must be distinct separation between the mustache and the sideburn. Mustaches shall be kept neatly trimmed and well groomed. They shall not extend more than 1/2" beyond or below the corner of the mouth. They shall not be waxed. Goatees must be kept neatly trimmed and well groomed. Beards are not permitted.

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Undershirts - Undershirts may be worn with the long sleeved department polo shirt. Long sleeved undershirts may be worn with the short sleeved department polo. Undershirts will be either black or white in color with no visible logos or designs.

Sweater/Jacket - A button/zip-up sweater or jacket may be worn while on duty. If worn, it must be a solid color with no visible designs or logos. It will be worn in such a way as to not cover the Sheriff's star insignia or the employee's name and title. If the sweater/jacket has a hood, the hood is not to be worn on the head while on duty.

Hats - May be worn while on duty. The approved hat is solid black with the approved embroidered Sheriff's star insignia. The hat may be flex fit or have an adjustable strap. The hat must be maintained in a clean manner and may not be allowed to become discolored or misshapen. No other hat will be permitted. Hats must be worn with the bill facing forward.

D. FEMALE PERSONNEL

General - Females will dress in a neat, professional, business-like manner: shirts, slacks or pants. Makeup shall be conservative. Good judgment shall prevail. The Commander or their designee may grant exceptions during special assignments.

Shirts/Blouses/Tops - No tank tops, see through tops, tube tops, backless or strapless tops. Tops will not expose the stomach or the back. Necklines shall be conservative. No visible logos are permitted. Department short sleeved polo shirts are optional and paid for by the employee (for polo shirt requirements see Personal Appearance of Detentions Technician Personnel in section 224.1 of this policy manual).

Slacks/Pants - Pants, slacks and jeans must be full length (no capris, shorts, sweatpants, recreational, leggings, jeggings or leisure pants allowed). Pants, slacks or jeans will not be frayed, torn, tattered or otherwise decorated.

Shoes - Will be closed toe and will have a back strap covering the heel. The following shoes will not be allowed: thongs, zorries, flip-flops, shower shoes, open toed shoes or slippers. Shoes must be appropriate for the employee's duty assignment.

Jewelry - All jewelry shall present a conservative, business-like appearance. Jewelry decoration shall not be worn on the nose, tongue or any part of the body that is visible to the public except as provided below.

- (a) Earrings - If worn, must be in the earlobe and shall be conservative.
- (b) Rings - If worn, shall be conservative.
- (c) Watch - If worn, shall be only one conservative watch
- (d) Miscellaneous Jewelry - If worn, shall be approved by the Commander or their designee.

Hair - The hair shall be styled in such a manner to not extend into the eyes or otherwise interfere with vision. There shall be no extreme styles or unnatural colors. Wigs or hairpieces must conform to the same standards. (No bandanas or other extreme hair fixtures will be worn while on duty).

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Makeup - The use of facial makeup shall be conservative. Excessive use of lipstick, rouge, foundation, mascara, eyebrow pencil and eye shadow is not permitted. Fingernails shall not interfere with the ability to perform job functions.

Undergarments - All females shall wear bras while on duty (to include court appearances or special assignments).

Sweater/Jacket - A button/zip-up sweater or jacket may be worn while on duty. If worn it must be a solid color with no designs or logos visible. If worn with the department polo shirt, it will be worn in such a way as to not cover the Sheriff's star insignia or the employee's name and title. If the sweater/jacket has a hood, the hood is not to be worn on the head while on duty.

Hats - May be worn while on duty. The approved hat is solid black with the approved embroidered Sheriff's star insignia. The hat may be flex fit or have an adjustable strap. The hat must be maintained in a clean manner and may not be allowed to become discolored or misshapen. No other hat will be permitted. Hat must be worn with the bill facing forward.

Chapter 3 - Recruitment Selection and Planning

Continuing Professional Education

300.1 PURPOSE AND SCOPE

This policy is designed to support the ongoing professional education of office personnel at all levels. Continuing professional education provides a broad view of the world and by extension enhances the understanding of the correctional mission as it applies to the Office and the community.

300.1.1 PHILOSOPHY

The Office seeks to encourage continuing education whenever practical. All continuing education programs will be within the framework of negotiated employee agreements and the availability of funds to provide ongoing efforts for self improvement. The Office encourages all personnel to participate in formal education on a continuing basis.

300.2 OBJECTIVES

Training involves activities whereby deputies, professional staff, support and contractor personnel learn and demonstrate an understanding of the specific job skills required for each position.

Individuals who engage in furthering their education in conjunction with skills-based training make for well-rounded employees who can better serve the mission of the Office and the community.

Supervisors should accommodate, to the extent feasible and schedules permitting, requests by personnel for shift adjustments and available leave time to assist personnel with their continuing education efforts.

300.3 REQUIRED TRAINING

With the exception of the year that the staff member is enrolled in a core training module, all staff members shall complete the annual required training specified in Section 184 of Title 15 CCR (15 CCR 1025).

300.4 TRAINING RECORDS

The Office shall use training courses certified by a competent government or standards-setting organization whenever practicable. All training should include testing to identify and document the employee's knowledge of the subject matter. It shall be the responsibility of the Training Sergeant to ensure that the following is maintained on file for all training provided by the Office:

- (a) The course outline or lesson plan
- (b) A roster signed and dated by those in attendance
- (c) The name of the person coordinating the training

It shall be the responsibility of the involved employee to provide his/her immediate supervisor or the Training Sergeant with evidence of completed training or education in a timely manner. The

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Continuing Professional Education

Training Sergeant shall ensure that copies of such training records are placed in the employee's training file and retained in accordance with established records retention schedules.

Firearms Training

301.1 PURPOSE AND SCOPE

This policy is intended to ensure that all personnel legally assigned a firearm will develop proficiency in the use, care and safety of firearms through a regular training schedule in accordance with all laws and regulations.

301.2 FIREARMS TRAINING

All personnel authorized to use firearms shall receive training in accordance with state law before being assigned to a post involving the possible use of such weapons.

Notwithstanding any statutory and regulatory requirements, at a minimum, firearms training will cover the laws, use, safety and care of firearms and the constraints on their use.

Whenever possible, the Office will use courses certified by a competent government or standards-setting organization. Whenever training is provided by the Office, the Training Sergeant should ensure that a course outline and/or lesson plan, a roster signed and dated by those in attendance and the name of the person coordinating the event are on file.

Personnel who are authorized to carry a firearm in the performance of their duties are required to maintain proficiency with firearms used in the course of their assignment. All custody personnel who carry firearms are required to successfully complete training quarterly with their duty weapon on an approved range course. In addition to quarterly training, all members will qualify at least annually with their duty firearms.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

The Rangemaster shall keep accurate records of quarterly qualifications, repairs, maintenance and training records as directed by the Training Sergeant. In addition to regular qualification schedules, the Rangemaster shall be responsible for providing all affected personnel with annual practical training that is designed to simulate situations that may occur in a custody facility setting. At least annually, all personnel carrying a firearm will receive training on the Use of Force Policy and demonstrate their knowledge and understanding by passing either a performance or written test.

301.3 FIREARMS NON-QUALIFICATION

If any staff member is unable to qualify for any reason, including injury, illness, duty status or scheduling conflict, that staff member shall submit a memorandum to his/her immediate supervisor prior to the end of the required shooting period.

Members who repeatedly fail to qualify will be relieved from the assignment that authorized a firearm; appropriate disciplinary action may follow.

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Firearms Training

Personnel who fail to qualify on their first shooting attempt shall be provided remedial training until proficiency is demonstrated and will be subject to the following requirements:

- (a) Additional range assignments may be required until consistent weapon proficiency is demonstrated.
- (b) Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained.
- (c) No range credit will be given for the following:
 - 1. Unauthorized range makeup
 - 2. Failure to qualify after remedial training

Training Plan

302.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a training plan that will provide for the professional growth and continued development of facility personnel and to forecast annual funding needs for future training. By doing so, the Office will ensure its personnel possess the knowledge and skills necessary to professionally manage the inmate population.

302.2 POLICY

The Training Sergeant shall conduct an annual training needs assessment to determine the training needs of all employees based upon state laws, regulations, certification requirements and continued professional training requirements.

A training plan shall be based on the assessment. It is the responsibility of the Training Sergeant to develop, maintain, review and update the training plan on an annual basis.

The annual training plan should be presented to the management staff for review. The approved training plan should include the annual funding requirements forecast by the Training Sergeant. The Training Sergeant shall coordinate with the budgeting office to develop a funding source for all mandatory training.

The Sheriff or the authorized designee shall have final approval of the training plan and the budget to ensure that the training to be delivered is fiscally responsible and meets the mission of the Office.

The Training Sergeant will execute the training plan on behalf of the Sheriff.

302.3 TRAINING SERGEANT

A qualified individual shall be appointed by the Sheriff or the authorized designee to serve as the Training Sergeant, who shall report to the Sheriff or the authorized designee.

Full-time employees who are assigned to be trainers shall receive specialized instruction, which at a minimum shall include a 40-hour train-the-trainers course.

The Training Sergeant is responsible for developing an annual training plan. The plan should ensure that employees meet all state law and certification requirements, any specialty training required for specialty assignments, and all continued professional training requirements. The plan should include a process to review course content and quality, typically by way of attendee feedback and/or a course audit by the training staff.

302.4 TRAINING RECORDS

An individual training file shall be maintained by the Training Sergeant or the authorized designee for each employee. Training files shall contain records of all training and education (original or photocopies of available certificates, transcripts, diplomas and other documentation) for all employees.

Training Plan

The maintenance of the training records shall be in sufficient detail as to comply with any outside audit requirements (28 CFR 115.34).

Whenever an employee obtains training that is not provided by this office, it shall be the responsibility of the employee to provide his/her immediate supervisor or the Training Sergeant evidence of completed training or education in a timely manner.

The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the employee's training file.

Training records shall contain the following information:

- Name of the employee
- Date of hire
- Education and training background (education and training received prior to hire)
- Type of training received
- Date the training was received and successfully completed
- Title of the training and name of the provider
- Test scores or training benchmarks

The Training Sergeant shall also be responsible for documenting the waivers of the training requirements based upon equivalent training received before employment or demonstrated competency through proficiency testing.

302.5 COURSE CERTIFICATION/QUALITY ASSURANCE

Training courses should be subject to a quality assurance process that, at minimum, provides:

- A complete description of the course, including the number of certified training hours achieved.
- A curriculum including job-related topics, and content and performance objectives.

Training should not be comprised only of the minimum number of hours required annually but also of instruction specific to tasks performed by employees in the facility. Courses should include a testing component that shows a measurable transfer of knowledge and a mastery of topics.

302.6 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled, unless previously excused by their immediate supervisor or the Training Sergeant. Excused absences from mandatory training should be limited to the following:
 1. Court appearances
 2. Authorized vacation

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Training Plan

3. Sick leave
 4. Physical limitations preventing the employee's participation
 5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
 2. Document his/her absence in a memorandum to the supervisor.
 3. Make arrangements through the supervisor and the Training Sergeant to attend the required training on an alternate date.

Volunteer Program

303.1 PURPOSE AND SCOPE

It is the policy of this office to use qualified volunteers to assist in the daily operation through their contribution of services to the inmates and the families of inmates, and to serve as a link between the facility and the community. Volunteers are intended to supplement and support, rather than supplant, deputies and other personnel. Volunteers can be an important part of any organization and are proven to be a valuable asset to corrections institutions.

303.1.1 DEFINITION OF VOLUNTEER

An individual who performs a service for the Office without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve deputies, interns and persons providing administrative support.

303.2 VOLUNTEER PROGRAM MANAGEMENT

303.2.1 PROGRAM COORDINATOR

The program coordinator shall be appointed by the Jail Commander. The function of the program coordinator is to provide a central coordinating point for effective program management within the Office, and to direct and assist staff and volunteer efforts to provide more productive services. The program coordinator should work with other Office staff on an ongoing basis to assist in the development and implementation of volunteer positions.

The program coordinator or the authorized designee shall be responsible for:

- (a) Developing and maintaining a volunteer recruiting plan.
- (b) Developing and maintaining a handbook that minimally identifies expectations and the lines of authority, responsibility and accountability for the various volunteer assignments.
- (c) Recruiting, selecting and training qualified volunteers for various positions.
- (d) Facilitating the implementation of new volunteer activities and assignments.
- (e) Maintaining records for each volunteer.
- (f) Tracking and evaluating the contribution of volunteers.
- (g) Maintaining a record of volunteer schedules and work hours.
- (h) Completion and dissemination as appropriate of all necessary paperwork and information.
- (i) Planning periodic recognition events.
- (j) Administering discipline when warranted.

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- (k) Maintaining liaison with other community programs that use volunteers and assisting in community efforts to recognize and promote volunteering.

303.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis in accordance with office policy on equal opportunity non-discriminatory employment. A primary qualification for participation should be an interest in, and an ability to assist the Office in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the program coordinator through the requester's immediate supervisor. A complete position description, including when the volunteer would be needed, should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The program coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

303.2.3 SCREENING

All prospective volunteers should complete the volunteer application form. The program coordinator or the authorized designee should conduct a face-to-face interview with an applicant under consideration.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

- (a) Traffic and criminal background check; fingerprints shall be obtained from applicants and processed through the Criminal Information Index (CII).
- (b) Employment
- (c) References
- (d) Credit check

A polygraph exam may be required of each applicant depending on the type of assignment.

303.2.4 SELECTION AND PLACEMENT

Service as a volunteer with the Office shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Office, normally the program coordinator. No volunteer should begin any assignment until he/she has been officially accepted for the position. Each volunteer should complete all required enrollment paperwork and will receive a copy of his/her position description and agreement of service with the Office.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the facility.

303.2.5 TRAINING

The program coordinator or the authorized designee shall be responsible for developing and maintaining training curriculum and any related forms specific to volunteer assignments.

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The program coordinator or the authorized designee shall be responsible for ensuring that volunteers are provided with an orientation program to acquaint them with the Office, personnel, and policies and procedures that have a direct impact on their work assignment. The training/ orientation will include, but not be limited to, the following topics:

- (a) Office policies and procedures
- (b) Rules related to contraband in the facility
- (c) Prohibition on carrying weapons in the facility
- (d) Volunteer/offender relationship and general rules of conduct
- (e) Safety and emergency information
- (f) An overview and history of the Office

The program coordinator shall be responsible for creating and maintaining records of all training provided to each volunteer.

Volunteers should receive position training by their immediate supervisor to ensure they have adequate knowledge and skills to complete tasks required by the position. They should receive periodic ongoing training as deemed appropriate by their supervisor or the coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer, that they are sworn deputies or other full-time members or employees of the Office. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Office.

303.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her mental or physical condition has been impaired by alcohol, medication or other substances, or when the volunteer is experiencing illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver's license status, if driving is part of the duties of the assignment
- (b) Any medical condition that might impair the volunteer's ability to perform the duties of the position
- (c) Arrests
- (d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this office regarding drug and alcohol use.

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303.2.7 DRESS CODE

As representatives of the Office, volunteers should present a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to office-approved dress in accordance with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by deputies. The uniform or identifiable parts of the uniform shall not be worn while off-duty. However, volunteers may choose to wear the uniform while in transit to or from official office assignments or functions, provided an outer garment is worn over the uniform shirt to avoid bringing attention to the volunteer while he/she is off-duty.

Volunteers shall be required to return any issued uniform or office property at the termination of service.

303.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Office and assigned to the jail must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned and act as a supervisor of other volunteers, provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. The following are some considerations to keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

303.4 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to confidential information, such as criminal histories or investigative files. Unless otherwise directed by a supervisor or office policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know, as determined by office policy and supervisory personnel.

Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Office. Subsequent unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

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Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Office, or maintain that they represent the Office in such matters without permission from the proper office personnel.

303.5 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn at all times while on-duty.

Any fixed and portable equipment issued by the Office shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Office and shall be returned at the termination of service.

303.5.1 VEHICLE USE

Volunteers assigned to duties that require the use of a vehicle must first complete:

- (a) A safety briefing and office-approved driver-safety course.
- (b) Verification that the volunteer possesses a valid driver's license.
- (c) Verification that the volunteer carries current vehicle insurance.

The program coordinator should ensure that all volunteers receive safety briefing updates, and should verify their license and insurance at least once a year.

When operating any office vehicle, volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all office vehicles.

303.5.2 TELECOMMUNICATION SYSTEMS USAGE

Volunteers with access to law enforcement telecommunication systems shall successfully complete all mandated access training and radio procedures training prior to using any such equipment. Volunteers shall comply with all policies and procedures related to the use of such equipment. The program coordinator should ensure that appropriate training is provided for volunteers whenever necessary.

303.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Sheriff, Jail Commander or the program coordinator. Volunteers shall have no property interests in their continued appointment.

Volunteers may resign from volunteer service with the Office at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

303.6.1 EXIT INTERVIEWS

Exit interviews, when practicable, should be conducted with volunteers who are leaving their positions. The interview should attempt to ascertain the reason for leaving the position and solicit

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the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Office.

303.7 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the program coordinator. Regular evaluations should be conducted with volunteers to ensure the best use of human resources, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.

303.8 VOLUNTEER REGISTRATION

All volunteers shall be registered with the Office for insurance purposes, and each volunteer shall be issued an identification card. The facility shall maintain an identification record for each volunteer that includes a photograph, home address, current telephone numbers, background certification, training/orientation certifications, and list of special skills, languages spoken or volunteer specialty.

Support Personnel Training

304.1 PURPOSE AND SCOPE

The Office has developed a training program for professional support and contractor personnel, whether full- or part-time, to increase competency in their assigned tasks and to help ensure that all support personnel understand the issues that are unique to their position as it relates to this facility. This policy establishes minimum training guidelines for those employees and contractors.

304.2 TRAINING SERGEANT RESPONSIBILITIES

The Training Sergeant is responsible for coordinating training and will ensure that the training and orientation given to each general service or contract employee is properly documented and placed in the worker's training file. At a minimum the record should contain the name of the individual, the assignment, the date the orientation was presented, the orientation outline indicating the subject material and the name of the instructor. To the extent applicable, copies of tests and passing scores should also be included as a part of the record.

304.3 PART-TIME PERSONNEL

General service personnel working part-time shall receive formal orientation and training commensurate with the scope of their work assignments, as determined by the Jail Commander, before assignment to duties within the facility. At a minimum the orientation should cover institutional rules, security and operational issues. General service and contract personnel who fail to successfully complete all required training shall not be permitted to work in the secure portions of the facility.

304.4 PERSONNEL WITH MINIMAL INMATE CONTACT

New professional support and contractor personnel who have minimal inmate contact will receive a minimum of 16 hours of training during the first year of employment.

Minimal inmate contact is defined as tasks that do not involve the supervision of inmates, inmate discipline or specific tasks that involve custody and control of inmates. Training topics shall include, but not be limited to:

- Custody policies and procedures
- Emergency response procedures
- Job specific training

304.5 PERSONNEL WITH REGULAR INMATE CONTACT

All new professional and support employees, including contractors, who have regular or daily inmate contact, shall receive a minimum of 40 hours of training during the first year of employment prior to being independently assigned to a particular job function.

Support Personnel Training

Inmate contact is defined as tasks that involve the direct provision of services to inmates (e.g. custody assistants, vocational supervisors, teachers, food service, commissary, chaplain) but that do not involve the custodial supervision of inmates involving custody, discipline and control.

Training topics shall include, but not be limited to:

- Security procedures and regulations
- Issues and responsibilities under PREA
- Planning
- Development and implementation of treatment and recreation programs
- Supervision of inmates
- Signs of suicide risk
- Suicide precautions
- Use of force regulations and tactics
- Report writing
- Inmate rules and regulations
- Key control
- Rights and responsibilities of inmates
- Safety procedures
- All emergency plans and procedures
- Interpersonal relations
- Social/cultural lifestyles of the inmate population
- Cultural diversity for understanding staff and inmates
- Communication skills
- Cardiopulmonary resuscitation (CPR/first aid)
- Universal precautions for the prevention of disease
- Counseling techniques
- Interaction of the elements of the criminal justice system
- Sexual harassment/sexual misconduct awareness

304.6 TESTING

All training delivered to support personnel should include testing to document that the employee understands the subject material presented.

Prison Rape Elimination Act Training

305.1 PURPOSE AND SCOPE

This policy establishes an education and training process related to implementation of the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation (PREA Rule) (28 CFR 115.5 et seq.).

305.2 POLICY

The Kings County Sheriff's Office endeavors to comply with the training standards in the PREA Rule and to ensure that all staff, volunteers and contractors are aware of their responsibilities and that staff, volunteers, contractors and inmates are aware of the policies and procedures of the facility as they relate to PREA.

305.3 MEMBER TRAINING

All staff, volunteers and contractors who may have contact with inmates shall receive office-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Sergeant shall ensure that the staff receives training and testing in prevention and intervention techniques, that they have sufficient knowledge to answer any questions the arrestees and inmates may have regarding sexual assault or abuse, and that they are familiar enough with the reporting process to take an initial report of a sexual assault or abuse. The Training Sergeant shall be responsible for developing and administering this training, covering at minimum (28 CFR 115.31; 28 CFR 115.32):

- (a) The zero-tolerance policy for sexual abuse and sexual harassment and how to report such incidents.
- (b) The dynamics of sexual abuse and sexual harassment in confinement.
- (c) The common reactions of sexual abuse and sexual harassment victims.
- (d) Prevention and intervention techniques to avoid sexual abuse and sexual harassment in the jail.
- (e) Procedures for the investigation of a report of sexual abuse and/or sexual harassment.
- (f) Individual responsibilities under sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures.
- (g) An individual's right to be free from sexual abuse and sexual harassment.
- (h) The right of inmates to be free from retaliation for reporting sexual abuse and sexual harassment.
- (i) How to detect and respond to signs of threatened and actual sexual abuse.
- (j) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex or gender non-conforming inmates.

Prison Rape Elimination Act Training

- (k) How to comply with relevant laws related to mandatory reporting of sexual abuse and sexual harassment to outside authorities.
- (l) How to avoid inappropriate relationships with inmates.

Training shall be tailored according to the sex of the inmates at the facility. Staff should receive additional training on security measures and the separation of male and female populations in the same facility if inmates have been reassigned from a facility that houses only male or female inmates.

Training should include written testing to validate knowledge and understanding of the material. The Training Sergeant shall document, through signature or electronic verification, that staff, volunteers and contractors have received and understand the training. The Training Unit will maintain training records on all those receiving training in accordance with procedures developed by the Training Sergeant.

The Training Sergeant shall ensure that members undergo annual refresher training that covers the office's sexual abuse and sexual harassment policies and related procedures (28 CFR 115.31)

305.4 SPECIALIZED MEDICAL TRAINING

All full- and part-time qualified health care and mental health professionals who work regularly in the facility shall receive all of the member training listed above, as well as training that includes (28 CFR 115.35):

- (a) Detecting and assessing signs of sexual abuse and sexual harassment.
- (b) Preserving physical evidence of sexual abuse.
- (c) Responding effectively and professionally to victims of sexual abuse and sexual harassment.
- (d) Reporting allegations or suspicions of sexual abuse and sexual harassment.

If the qualified health care and mental health professionals employed by this facility conduct forensic examinations, they shall receive the appropriate training to conduct such examinations.

The Training Sergeant shall maintain documentation that the facility's health care and mental health professionals have received the training referenced above, either from this office or elsewhere.

305.5 SPECIALIZED INVESTIGATIVE TRAINING

Specialized investigative training for investigators shall include the uniform evidence protocol to maximize potential for obtaining useable physical evidence; techniques for interviewing sexual abuse victims; proper use of *Miranda* and *Garrity* warnings; sexual abuse evidence collection in confinement settings; and the criteria and evidence required to substantiate a case for administrative action or referral for prosecution (28 CFR 115.21; 28 CFR 115.34).

Chemical Agents Training

306.1 PURPOSE AND SCOPE

This policy establishes the required training for members to be authorized to carry and use chemical agents.

306.2 POLICY

The Office authorizes the use of selected chemical agents. Chemical agents are weapons used to minimize the potential for injury to members, inmates and others. Chemical agents should only be used in situations where such force reasonably appears justified and necessary.

306.3 CHEMICAL AGENT TRAINING

Only members trained and having shown adequate proficiency in the use of any chemical agent and the Use of Force Policy are authorized to carry the device.

- (a) The Training Sergeant shall ensure that appropriate training for all chemical agents occurs annually at a minimum.
- (b) All initial and proficiency training for chemical agents will be documented in the member's training file.
- (c) Members failing to demonstrate continuing proficiency with chemical agents or knowledge of the Use of Force Policy will lose their authorization to carry or use the devices and will be provided remedial training. If, after two remedial training sessions, a member fails to demonstrate proficiency with chemical agents or knowledge of the Use of Force Policy, the member may be subject to discipline.
- (d) The Training Sergeant shall be responsible for ensuring that all personnel who are authorized to use chemical agents have also been trained in the proper medical treatment of persons who have been affected by the use of chemical agents. Training should include the initial treatment (e.g., providing the proper solution to cleanse the affected area) and knowing when to summon medical personnel for more severe effects.

306.4 PROFICIENCY TESTING

The Training Sergeant shall ensure that all training delivered to staff should also test proficiency in order to document that the member understands the subject matter, and that proficiency training is monitored and documented by a certified weapons or tactical instructor.

306.5 TRAINING RECORDS

It shall be the responsibility of the Training Sergeant to ensure that the following is maintained on file for all training provided by the Office:

- A course outline or lesson plan
- A roster signed and dated by those in attendance

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- The name of the person coordinating the training

The Training Sergeant shall ensure that copies of such training records are placed in the member's training file and retained in accordance with established records retention schedules.

306.6 REVIEW, INSPECTION AND APPROVAL

Every chemical agent delivery device will be periodically inspected by the Rangemaster or the designated instructor for a particular device.

Training for Managers and Supervisors

307.1 PURPOSE AND SCOPE

This policy establishes training requirements and guidelines for supervisory and management staff, and encourages all personnel to participate in basic and continuing professional training.

307.2 POLICY

It is the policy of this office to administer a training program that provides for the professional growth and continued development of its personnel in accordance with all laws, ordinances and regulations. All training is provided with the intent to improve the competency of staff within the confines of funding, the requirements of a given assignment, staffing levels and legal mandates (15 CCR 1021; 15 CCR 1023).

307.3 TRAINING OBJECTIVES

The objectives of the training program are to accomplish the following:

- (a) Improve the competency of staff at all levels.
- (b) Ensure that staff can carry out the mission of the Office through a thoroughly demonstrated knowledge of office policies and procedures.
- (c) Increase the technical expertise and overall effectiveness of personnel.
- (d) Provide for continued professional development of office personnel.

307.4 TRAINING FOR NEW MANAGERS AND SUPERVISORS

All Jail Commanders and supervisors (full- or part-time) are required to have 80 hours of management and supervision training as specified by the Commission on Peace Officers and Standards and Training (POST) or the Standards and Training for Corrections Program (STC) within the first year of their appointment. Supervisors shall thereafter receive a minimum of 24 hours of refresher training annually related to facility management and supervision. Managers shall receive 40 hours of annual training (15 CCR 1021; 15 CCR 1023; 15 CCR 1025).

307.4.1 SUPERVISORY TRAINING

All supervisory personnel shall have completed core training as specified in the Training Policy, prior to assuming supervisory responsibilities (15 CCR 1021).

307.5 TRAINING RECORDS

The Office shall use training courses certified by a competent government or standards-setting organization whenever practicable. All training should include testing to identify and document the employee's knowledge of the subject matter.

It shall be the responsibility of the Training Sergeant to ensure that the following is maintained on file for all training provided by the Office:

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- The course outline or lesson plan
- A roster signed and dated by those in attendance
- The name of the person coordinating the training

It shall be the responsibility of the involved employee to provide his/her immediate supervisor or the Training Sergeant with evidence of completed training or education in a timely manner. The Training Sergeant shall ensure that copies of such training records are placed in the employee's training file and retained in accordance with established records retention schedules.

Detention Facility Training Officer Program

308.1 PURPOSE AND SCOPE

The jail training officer program is intended to provide a standardized program to facilitate the deputy's transition from a JTO (Job Training Orientation) to a fully functional Detentions Deputy who will operate in a safe, productive and professional manner.

It is the policy of this office to assign all new deputies to a structured jail training officer program that is designed to prepare the new deputy to perform in a custody assignment, and to provide training on all skills needed to operate in a safe, productive and professional manner.

308.2 TRAINING OFFICER

The training officer (TO), Senior Deputy/Training Officer (training and evaluating entry-level deputies in the application of their previously acquired knowledge and skills.

308.3 TRAINING OFFICER RESPONSIBILITIES

- (a) TOs shall complete and submit a written evaluation (daily observation report) on the performance of their assigned trainee to the TO's immediate supervisor on a daily basis.
- (b) TOs shall review the performance evaluations with the trainee each day.
- (c) A detailed end-of-phase performance evaluation on the assigned trainee shall be completed by the TO at the end of each phase of training.
- (d) TOs shall be responsible for signing off all completed topics contained in the Training Manual (JTO Manual), noting the methods of learning and evaluating the performance of the assigned trainee.

308.4 TRAINING OFFICER PROGRAM SUPERVISOR

The Shift Supervisor will be a Sergeant or Senior Deputy who shall possess supervisory credentials from the state's law enforcement certifying agency, where applicable. The supervisor's responsibilities include the following:

- (a) Assignment of trainees to TOs.
- (b) Maintain and ensure TO/trainee performance evaluations are completed in a timely manner.
- (c) Monitor individual TO/trainee performance.

Training

309.1 PURPOSE AND SCOPE

It is the policy of this office to assign all new deputies to a structured jail training program designed to prepare the new deputy to perform in a correctional assignment with the skills needed to operate in a safe, productive and professional manner.

309.2 MINIMUM TRAINING REQUIREMENTS

All deputies, full- or part-time, shall successfully complete the Corrections Officer Core Course as described in 15 CCR 179, within one year from the date of assignment.

Custodial personnel who have successfully completed the course of instruction required by Penal Code § 832.3 shall successfully complete the Corrections Officer Basic Academy Supplemental Core Course as described in 15 CCR 180, within one year of the date of assignment (15 CCR 1020(b)).

Individuals assigned to work in the facility prior to completing the required training may do so only when under the direct supervision of a fully trained deputy (15 CCR 1020(a)).

309.3 JAIL TRAINING PROGRAM PHASES

The jail training program is designed to build upon the conceptual foundation taught in the basic academy, whereupon the theoretical knowledge gained in the academy can be molded into a practical skill set. The jail training program consists of the five phases described below.

309.3.1 FIRST PHASE - FACILITY ORIENTATION

The trainee will be assigned to a jail Training Officer (TO) to whom the trainee is assigned. The TO will, at a minimum:

- (a) Brief the trainee on the purpose, scope and responsibilities expected during the training program.
- (b) Explain the evaluation system and acquaint the trainee with the rating forms that will be used.
- (c) Provide the trainee with any required equipment or materials.
- (d) Tour the entire facility and support services with the trainee.
- (e) Introduce the trainee to the Jail Commander and key supervisory, administrative and support personnel.

309.3.2 SECOND PHASE - SHADOWING

In this phase the trainee will be exposed to the many duties at each post, including transportation and special functions, by observing the TO demonstrate how each task is to be performed. The TO should provide instruction to the trainee and encourage the trainee to ask questions.

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Time should be made available during this phase to allow the trainee to study policies and procedures, directives, post orders and any other materials deemed necessary by the TO.

The TO will monitor the trainee's progress by asking questions and administering tests on the materials and demonstrations that have been provided to the trainee.

The work performance of the trainee will be evaluated and recorded daily by the TO. Areas of deficiency will be discussed and remedial training provided if deemed necessary by the TO.

309.3.3 THIRD PHASE - HANDS-ON WITH CLOSE SUPERVISION

During this phase the TO will instruct the trainee in each required activity at each post, including transportation and special functions. Once each task is demonstrated, the trainee will be directed to perform each activity under the close supervision of the TO.

The TO will provide direction as needed to the trainee during the hands-on activities.

The work performance of the trainee will be evaluated and recorded daily by the TO. Areas of deficiency will be discussed and remedial training provided if deemed necessary by the TO.

309.3.4 FOURTH PHASE - SOLO WITH MONITORING

During this phase the trainee will be directed to work solo in each area that training has been provided.

The solo activities of the trainee will be monitored by the TO and a supervisor.

The work performance of the trainee will be evaluated and recorded by the TO. Areas of deficiency will be discussed and remedial training provided if deemed necessary by the TO.

309.3.5 FIFTH PHASE - WORKING INDEPENDENTLY WITH SUPERVISION

Provided that there are no concerns about the trainee's ability, the trainee will be assigned to a shift and will be supervised regularly by the supervisor.

The supervisor, in consultation with the TO and the Jail Commander, will make a recommendation to pass the trainee on to his/her assignment, to continue training or will recommend termination.

309.4 PROBATIONARY PERIOD EVALUATION

Probationary employees will receive a written evaluation of their job skills and learning progress at least once a month or at the completion of each phase of training, whichever occurs first. Prior to being permanently appointed, each probationary employee will receive a final evaluation. These evaluations shall be in writing and discussed with the employee by his/her supervisor. The final evaluation shall be made a part of the employee's personnel record.

Specialized Training

310.1 PURPOSE AND SCOPE

Deputies who are assigned to specialized response units will receive training commensurate with the complexity of their specialty and must be able to demonstrate proficiency in the specific skills related to their specialized function.

310.2 QUALIFICATIONS

To be eligible for assignment to the Sheriff's Emergency Response Team (SERT), deputies are required to be off probation and a Detentions Deputy II.

310.3 TRAINING

The Training Sergeant is responsible for ensuring that all personnel who are assigned to the SERT will receive not less than 16 hours of specialized training as specified above or as a part of their annual training requirement.

The Office will use courses certified by a competent government or standards-setting organization whenever practicable. All training should include testing to identify and document the employee's knowledge in the subject matter presented.

It shall be the responsibility of the employee to provide the Training Sergeant or immediate supervisor with evidence of completed training and education in a timely manner. The Training Sergeant or supervisor shall ensure that copies of training records are placed in the employee's training file.

Briefing Training

311.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the deputy's assigned shift. Briefing training provides an opportunity for an important exchange of information between employees and supervisors.

311.2 POLICY

Briefing training covers a wide range of topics selected by the management/supervisory and training staff.

The supervisor conducting briefing training is responsible for the preparation of the materials necessary for constructive training. Supervisors may delegate this responsibility to a subordinate deputy in their absence or for training purposes. The briefing training will be based upon a structured program to provide topics related to, but not limited to, the following:

- Custody facility policies and procedures
- Office Memorandums not yet established into policy
- Reviewing recent incidents for training purposes
- In preparation or response to an unusual occurrence
- Statutory requirements or court orders
- Operation of new equipment, including computer software
- Notifying the staff of changes in schedules and assignments
- Any other topic as determined by the Sheriff or Jail Commander

311.3 COMPUTER-BASED TRAINING OPTIONS

The Lexipol Daily Training Bulletins (DTBs) is a web-based system that provides training on the Kings County Sheriff's Office Custody Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Sergeant.

Personnel assigned to participate in DTBs should only use the password and login name assigned to them by the Training Sergeant. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should logoff the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Office.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the

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DTB system can be accessed from any Internet-active computer, employees shall only take DTBs as part of their on-duty assignment as there will be no authorization for taking or viewing DTBs while off-duty.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

311.4 TRAINING RECORDS

The Training Sergeant will assist the Shift Supervisors with identifying relevant topics for delivery during briefing training and will be responsible for maintaining all briefing training records.

Chapter 4 - Emergency Planning

Facility Emergencies

400.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a plan to appropriately respond to emergencies within the facility and to ensure all affected personnel receive timely training regarding emergency response. This policy is intended to protect the community, employees, visitors, inmates and all others who enter the jail while allowing the facility to fulfill its primary purpose.

Facility emergencies related to fire will be addressed in the Fire Safety Policy.

400.1.1 DEFINITIONS

Contraband - Any item or article inside the facility that was not issued by the facility, purchased from the commissary, purchased through approved channels, approved for use by jail administration or that compromises overall facility security. Items that are modified from their intended use or are found in excessive quantities are also considered contraband.

Disturbance - Any action or inaction by an inmate or group of inmates that disrupts the normal operation of the jail in a housing module and/or other area of the facility. A disturbance may be a one-on-one inmate altercation, a single inmate violently attacking cell furnishings or the physical plant, a single inmate-on-staff assault or an inmate actively resisting staff's verbal or physical directions.

Escape - Occurs when an inmate leaves or fails to return to the secure perimeter of the jail without lawful release, proper authorization or assigned escort.

Hunger strike - One or more inmates refusing to eat for two or more consecutive meals. A refusal to eat is usually associated with a grievance or an unmet demand. It can disrupt the safety and security of the facility if it is allowed to increase in the number of inmates participating or if it becomes known to the general inmate population.

Internal security - The ability of the custody staff to control or influence the behavior of inmates in a manner that protects inmates from one another or themselves, that protects the staff from inmates, protects facility property and reduces the risk of, or quickly gains control of, disturbances or riots.

Lockdown - A course of action used to control the movement of inmates. Generally, all inmates who are uninvolved in the event that created the need for a lockdown shall be directed to their housing units/cells and locked inside. Inmates who are being transported in hallways shall be secured in either an appropriate holding cell or their housing unit/cell.

Perimeter security - The ability of a facility to prevent escapes and to safely confine its population within the limits of the facility grounds. In general, this includes the outside walls or fences, the inner walls, rooms and activity areas.

Riot - Violent behavior by an inmate or group of inmates that creates a significant likelihood of damage to property, injury to persons and/or substantially obstructs normal jail operations.

Facility Emergencies

400.2 POLICY

It is the policy of this office to have emergency response plans in place to quickly and effectively respond to and minimize the severity of any emergency within the facility.

400.3 PROCEDURE

The Jail Commander should develop, publish and review emergency response plans that address the following (15 CCR 1029(a)):

- (a) Fires
- (b) Escapes
- (c) Disturbances/Riots
- (d) Taking of hostages
- (e) Civil disturbances
- (f) Natural disasters
- (g) Periodic testing of emergency equipment
- (h) Storage, issues, and use of weapons, ammunition, chemical agents, and related security devices
- (i) Other emergencies as needs are identified

The facility emergency response plans are intended to provide the staff with current methods, guidelines and training for minimizing the number and severity of emergency events that may threaten the security of the facility or compromise the safety of staff, inmates or the community.

The emergency response plans are intended to provide information on specific assignments and tasks for personnel. Where appropriate, the emergency response plans will include persons and emergency departments to be notified.

The emergency response plans should include procedures for continuing to house inmates in the facility; the identification of alternative facilities outside the boundaries of the disaster or threat and the potential capacity of those facilities; inmate transportation options; and contact information for allied agencies.

The emergency response plans shall be made available to the staff, volunteers and contractors working in the facility as needed.

400.4 LOCKDOWN

Upon detecting any significant incident that threatens the security of the facility, such as a riot or hostage situation, staff shall immediately notify Central Control and the Shift Supervisor. The Shift Supervisor, or in his/her absence Central Control, may determine whether to order a partial or full lockdown of the facility and shall notify the Jail Commander as soon as practicable.

Facility Emergencies

If a lockdown is ordered, all inmates will be directed back to their housing units/cells. All inmates in transit within the facility will either be escorted back to their housing units/cells or to another secure location (holding cell). The Shift Supervisor should instruct any staff not directly involved in the lockdown to escort any visitors and non-essential contractors out of the facility.

A headcount shall be immediately conducted for all inmates, visitors, contractors and staff. The Shift Supervisor shall be immediately notified of the status of the headcount. If any person is unaccounted for the Shift Supervisor shall direct an immediate search of the facility and notify the Jail Commander of the situation as soon as practicable.

Lockdown is not to be used as a form of punishment. It may only be used to ensure order.

400.5 HUNGER STRIKE

Upon being made aware that one or more inmates is engaging in a hunger strike, the staff will notify the Shift Supervisor, who will notify the Jail Commander. The Jail Commander should evaluate the basis for the strike and seek an appropriate resolution.

Should the Jail Commander be unable to resolve the grievance leading to the strike, the Jail Commander will notify the Sheriff and provide updates on the status of the hunger strike.

400.5.1 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

The Jail Commander or the authorized designee should notify the Responsible Physician to review, coordinate and document any medical actions taken, based upon protocols and/or at the direction of qualified health care professionals, in response to a hunger strike.

Qualified health care professionals should monitor the health of inmates involved in the hunger strike and make recommendations to the Jail Commander or the supervisory staff responsible for oversight of the incident.

If an inmate is engaging in a hunger strike due to a mental condition, the appropriate medical protocols for mental illness will be followed.

400.5.2 RESPONSE TO HUNGER STRIKES

Beginning at the line staff level, a resolution to grievances should be sought at the lowest level. The Inmate Grievances Policy shall guide staff on resolving inmate grievances.

If the hunger strike remains unresolved, the Jail Commander may direct the appropriate staff to examine the inmate commissary purchases made in advance of the hunger strike, and to monitor commissary purchases made during the hunger strike. Additional staff should be directed to observe the cell area, including trash containers, of the inmates involved for evidence of food items purchased from the commissary and of food hoarding.

400.5.3 LEGAL GUIDANCE

If all attempts to resolve the grievance are unsuccessful or not reasonably possible, the Sheriff consider consulting with legal resources or the health authority to as appropriate to develop other steps to resolve the issues.

Facility Emergencies

400.6 RESPONSE TO DISTURBANCES

The staff should attempt to minimize the disruption to normal facility operations caused by a disturbance by attempting to isolate the disturbance to the extent possible. The staff should immediately notify the Shift Supervisor or the Jail Commander of the incident. The Shift Supervisor or Jail Commander may direct additional staff as needed to resolve the disturbance (15 CCR 1029(7)(B)).

400.6.1 NOTIFICATIONS

The Shift Supervisor should notify the Jail Commander of the disturbance as soon as practicable. Based on the seriousness of the event, the Jail Commander should notify the Sheriff.

400.6.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

The Jail Commander or the authorized designee should notify the appropriate qualified health care professionals in order to review, coordinate and document medical actions based upon protocols and/or at the direction of the Responsible Physician.

400.6.3 REPORTING

The Shift Supervisor or Jail Commander should direct that an incident report to be completed containing the details of the disturbance no later than the end of the shift. If appropriate, a crime report shall be initiated and prosecution sought.

400.7 RIOTS

Riots occur when an unruly inmate or inmates forcibly and/or violently take control or attempt to take control of any area within the confines of the jail.

Staff should make reasonable attempts to prevent inmate-on-inmate violence but should take measures to avoid being engulfed in the problem, thereby exacerbating the situation.

400.7.1 RESPONSE TO RIOTS

Once the area of the disturbance is secured and isolated from other areas of the facility, time is generally on the side of staff. If possible, the process of quelling the disturbance should slow down in order for staff to develop response plans, to ensure there are adequate facility personnel to effectively take the required actions, and that responding staff are appropriately equipped with protective gear. If possible, the Shift Supervisor should notify the SERT Commander and initiate a call out for SERT personnel. Once the SERT Commander arrives at the scene, he/she will take command of the situation.

Staff should evaluate their response given the totality of circumstances in any situation, but generally should not enter the space where a riot is occurring until sufficient staff members are present to safely suppress the riot. Nothing in this policy shall prohibit any staff member from assisting staff members who are being assaulted.

All inmates who have participated in a riot shall be separated and secured as soon as practicable. If necessary, injured inmates shall receive a medical evaluation and treatment. If the injured inmate

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is medically cleared to remain in the jail, he/she will be reclassified and moved to appropriate housing.

Other housing units must be secured, with sufficient staff remaining at their posts to continue to supervise the unaffected units. When the riot has been suppressed, all involved staff must immediately return to their assigned posts.

400.7.2 QUALIFIED HEALTH CARE PROFESSIONALS RESPONSE

A supervisor or the authorized designee should notify the appropriate qualified health care professionals and identify a staging area for medical emergency responders and for medical triage should it appear to be necessary.

The Responsible Physician or the authorized designee should be included in developing the response plan as it relates to the potential for a medical response, medical triage and treatment activities, and the safety and security of medical personnel during the incident.

400.7.3 NOTIFICATIONS

As soon as practicable, the Shift Supervisor or a responsible staff member shall notify the Jail Commander, who in turn, shall notify the Assistant Sheriff and Sheriff.

400.7.4 REPORTING

The Jail Commander or Shift Supervisor shall direct that a report be written detailing the incident by the end of the shift. If appropriate, a crime report will also be prepared by the responsible law enforcement agency.

400.7.5 DEBRIEFING

All responding staff, including medical responders, shall be debriefed on the incident as soon as practicable after the conclusion of the emergency incident. The staff shall examine the incident from the perspective of what worked, what actions were less than optimal and how the response to a future incident might be improved.

If appropriate, the details of the incident will be used to develop a training course for responding to facility disturbances. The goal of any debriefing process is continuous improvement. The debriefing should be focused on the incident and an improved response. A moderator should be used to ensure that no individual or group involved in the response is publicly ridiculed.

400.8 HOSTAGES

The Office does not recognize the taking of hostages as a reason to relinquish control of the jail environment. All staff, inmates, visitors, volunteers and contractors shall be informed of the "no hostage" policy prior to entering the facility for the first time and shall sign an acknowledgment, which the facility shall retain.

It is the policy of the Kings County Sheriff's Office to use all available resources necessary to bring about a successful end to a hostage situation (15 CCR 1029(7)(B)).

Facility Emergencies

400.8.1 RESPONSE TO HOSTAGE INCIDENT

Central Control should immediately be notified at the earliest sign of a hostage incident. Central Control shall notify the Shift Supervisor and Jail Commander. The Jail Commander will notify the Assistant Sheriff and Sheriff as soon as practicable.

The Shift Supervisor or Jail Commander shall make every effort to ensure that the hostage incident remains confined to the smallest area possible. All door controls accessible to the inmate shall be disabled. Emergency exits that lead outside the secure perimeter shall be guarded.

400.8.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

At the direction of the Shift Supervisor or the authorized designee, the qualified health care professionals should be notified in order to identify a location and form a logistical plan for medical triage. The location also shall serve as a medical staging area for other medical emergency responders.

400.8.3 HOSTAGE RESCUE

Communications with the hostage-taker should be established as soon as practicable. Hostage-taker demands for the staff to open doors will not be met. The Sheriff's Emergency Response Team (SERT) and Crisis Resolution Team (CRT) should be immediately summoned and the established protocols for resolving the situation shall be implemented. The Jail Commander, Assistant Sheriff and Sheriff should be consulted regarding decisions faced by the hostage rescue team.

400.8.4 REPORTING AND DEBRIEFING

Following the conclusion of a hostage incident, the Jail Commander should direct that an incident report be completed by the end of the shift. All aspects of the incident should be reviewed, focusing on the incident and the outcome, with the intent of using the incident as an opportunity for continuous improvement and to identify additional training or systemic changes that may be required.

400.9 ESCAPES

Upon being made aware that an escape may have occurred, or did in fact occur, the staff member should immediately notify Central Control. Central Control should notify the Shift Supervisor or Jail Commander. As soon as practicable, the Jail Commander should notify the Sheriff.

Once the escape is verified and immediate actions taken inside the facility (lockdown, etc.), the Shift Supervisor should notify all local law enforcement agencies.

400.9.1 INMATE COUNTS

As soon as the facility is fully locked down, a full inmate/wristband count should be taken.

All inmates who are outside of the secure perimeter of the facility (e.g., court, work details) should be located and identified. Any missing inmate should have his/her identity disclosed and his/her facility record should be accessed by the Jail Commander (15 CCR 1029(6)).

Facility Emergencies

400.9.2 SEARCH

Concurrent with the lockdown, the area surrounding the facility should be searched for the escapee. Areas where an inmate may be hiding or may have discarded jail clothing should be searched first. Any witnesses should be interviewed.

Classification officers will develop a flyer with the inmate's name, description, the inmate's latest picture, classification status and charges, and supply it to the custody staff and local law enforcement. Local law enforcement should also be given the inmate's last known address and a list of his/her associates.

400.9.3 REPORTING

The Shift Supervisor or a designated staff member should submit an incident report to the Jail Commander. A crime report should also be written regarding the escape. The incident report should focus on events and physical plant weaknesses that contributed to the escape. The Jail Commander should review the reports, interview involved parties and develop action plans to minimize the risk of future occurrences.

400.10 CIVIL DISTURBANCES OUTSIDE OF THE JAIL

Upon being notified that jail space will be needed in response to a civil disturbance involving mass arrests, the Shift Supervisor should notify the Jail Commander. The Jail Commander should make the determination regarding the magnitude of the event and whether it warrants notification of the Sheriff.

The size of the event may also require a lockdown, suspension of any programs that are not critical to jail operations, and/or implementation of alternate staffing plans. To accommodate the influx of inmates, the Shift Supervisor shall develop a housing plan that will not adversely affect the safety and security of the facility. Program spaces, such as exercise yards, classrooms and dayrooms, may be used to temporarily house a limited number of additional inmates.

In the event that the jail can no longer accept additional inmates without compromising the safety and security of the facility, mutual aid may be requested from allied counties. Title 15 CCR standards may be temporarily suspended. The Jail Commander shall notify the California Board of State and Community Corrections (BSCC) in writing in the event that such a suspension lasts longer than three days. Suspensions lasting for more than 15 days require approval of the chairperson of the BSCC (15 CCR 1012).

400.11 REVIEW OF EMERGENCY PROCEDURES

The Jail Commander shall ensure that there is a review of emergency response plans at least annually. This review should be documented with reports submitted to the Jail Commander or the authorized designee within 10 days of the review for approval. This review should also include the signatures or initials of the facility staff responsible for the review. At a minimum, the review shall include:

- (a) Assignments of persons to specific tasks in emergency situations.

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- (b) Instructions in the use of the alarm systems and signals.
- (c) Systems for the notification of appropriate persons outside of the facility.
- (d) Information on the location and use of emergency equipment in the facility.
- (e) Specification of evacuation routes and procedures.

400.12 TRAINING

The staff shall be trained annually on this policy. This facility will provide emergency preparedness training as part of orientation training for all personnel assigned to the facility and for those who may be required to respond to the facility in an emergency. The staff shall also receive refresher training at least annually in the emergency response plans. The Training Sergeant is responsible for developing and delivering appropriate initial training and annual refresher training.

Emergency planning training should occur in the form of classroom instruction (or roll call training), mock practical exercises and drills. Each type of emergency covered in the emergency response plan must be included in the training.

A lesson plan, staff training sign-up sheet with the dates and the times training should be provided, and proof of competency (testing) for each participant should be maintained by the Training Sergeant.

The Training Sergeant shall forward an annual report to the Sheriff and Jail Commander on the status of emergency response plan training. Any training deficiencies identified in this report should be rectified within 90 days of the report.

The facility emergency plans and all training shall be documented by the Training Sergeant and retained in accordance with established records retention schedules.

Emergency Power and Communications

401.1 PURPOSE AND SCOPE

The Kings County Sheriff's Office facility must continue to operate as a safe and secure environment regardless of emergencies, including electrical outages. The purpose of this policy is to establish guidelines regarding back-up power and communication systems, and the inspection, preventive maintenance and testing of the systems to ensure a seamless transition in the event of a loss of power.

401.2 POLICY

It is the policy of this office to ensure that power to critical systems and communications continues to operate within the facility in the event of a loss of power.

401.2.1 PREVENTIVE MAINTENANCE

It is the responsibility of the Sheriff and Jail Commander to ensure that there is sufficient emergency power to operate all essential lighting, security equipment, safety equipment and communications systems. The emergency power system should have sufficient fuel to allow the facility to operate continuously for a three-day period, if necessary, without external resources.

The emergency power system should be inspected, tested and maintained as necessary. In the event that the system fails, the Jail Commander or Shift Supervisor should contact the designated maintenance authority or repair company to obtain necessary repairs as soon as practicable. If the emergency power system cannot be repaired within eight hours, portable emergency generators should be secured as a temporary emergency power source until the repair or replacement of the primary system occurs.

401.2.2 SAFETY AND SECURITY

All safety and security equipment will be repaired or replaced in an expedited manner by qualified personnel. In the event that safety and security equipment become inoperable or damaged and it is not safe to operate a secure portion of the facility, that portion of the facility should be vacated and the inmates housed elsewhere. Or, staffing should be increased sufficiently for the area to remain safe and secure until the repair can be completed.

401.2.3 INSPECTION AND TESTING

The Jail Commander or the authorized designee is responsible for scheduled testing of emergency power systems (15 CCR 1029). The power system manufacturer should be contacted for the required testing intervals and load information. The emergency power system should be load-tested in accordance with the manufacturer's recommendations or at least quarterly.

All emergency equipment and systems should be inspected and tested by a qualified individual at least quarterly.

Power generators should be inspected and tested by a qualified individual at least weekly.

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Emergency Power and Communications

All testing and inspections shall be documented and the results included in a report to the Jail Commander.

Emergency Staffing

402.1 PURPOSE AND SCOPE

The facility must operate at all times as a safe and secure environment, regardless of staffing levels. Consequently, contingency plans must be made in advance for any staffing emergency or planned job action, regardless of the length of the staffing deficit.

The purpose of this policy is to establish roles and responsibilities for creating and implementing emergency staffing plans, providing appropriate emergency staffing training to supervisory and management personnel, and identifying an update schedule and distribution list for the plan, as identified by the Sheriff or the authorized designee.

402.2 POLICY

It is the policy of this office to be prepared to operate a safe and secure facility in the event of a work staffing emergency. Staffing emergencies that could negatively affect the good order the facility may include, but are not limited to, an outbreak of infectious disease, a work stoppage or strike by the staff, a natural disaster or other disruption. The Sheriff or the authorized designee shall be responsible for ensuring that an appropriate emergency staffing plan exists.

402.2.1 EMERGENCY STAFFING

In the event the Jail Commander becomes aware that a staffing emergency exists or may occur, staff members who are present may be ordered to remain at their posts on overtime. The Jail Commander will notify the Assistant Sheriff and Sheriff. Plans should include measures to achieve minimum staffing for the facility within four hours of a staffing emergency and may include the following operational adjustments, as needed:

- The facility may go to a lockdown. Minimum activities, including visiting, exercise and other programs will be suspended only if necessary. Meals, cleaning, medical services, court transportation and attorney visits will continue. Other activities will be assessed by the Jail Commander on a case-by-case basis.
- Notify the Board of State and Community Corrections (BSCC), verbally and in writing in the event that 15 CCR Section 1012 - *Emergency Suspension of Standards* is implemented for more than three days.
- All time-off for supervisory and management personnel should be cancelled or rescheduled for the duration of the staffing emergency.
- Available staff should be assigned to twelve hour shifts, with days off cancelled, for the duration of the emergency, as needed.
- Staff from other areas of the office who have custody experience may be used to fill vacancies in the facility.
- Assistance from allied agencies may be requested to help management and supervisors in safely staffing the facility.

Emergency Staffing

- Contracting with surrounding facilities may be necessary if adequate staffing cannot be obtained to safely operate the facility.
- In the event of a health-related staffing emergency, the office Exposure Control Officer and medical staff shall be notified in accordance with the Communicable Diseases Policy.

402.2.2 LEGAL ASSISTANCE

In cases where the Jail Commander becomes aware that a work stoppage is planned or has occurred, legal counsel should be consulted for assistance in preparing the necessary legal action to either prevent the work stoppage or to cause it to cease. Immediate contact with the employees' representatives may also be necessary to prevent or conclude the job action.

402.2.3 TRAINING

The Jail Commander or the authorized designee should be responsible for:

- (a) Establishing a distribution list for the contingency plan.
- (b) Establishing a periodic review and update of the plan.
- (c) Ensuring that all supervisors and managers are periodically trained on the plan.
- (d) Ensuring that all supervisors and managers are provided a copy of the plan and/or a means to access it in the event of an emergency.
- (e) Documenting all training.
- (f) Maintaining training records for each supervisor and manager and ensuring that those personnel periodically receive appropriate update training on the plan.

Fire Safety

403.1 PURPOSE AND SCOPE

The threat of fire and toxic smoke in the facility represents a significant risk to the safety and security of the community, the staff, inmates, volunteers, contractors, and visitors. The purpose of this policy is to clearly identify and conform to applicable federal, state, and/or local fire safety codes, and to establish a process of creating, disseminating, and training all individuals in the facility on the emergency plans for fire safety and evacuation.

403.2 POLICY

It is the policy of this office that fire prevention strategies are a high priority.

The Jail Commander shall ensure that a fire alarm and detection and suppression system, as required by law, are installed, maintained, and periodically tested. Any variance, exception, or equivalency issues must be approved by the fire jurisdiction authorities and must not constitute a serious life-safety threat to the occupants of the facility (15 CCR 1029(a)(7)(A); 15 CCR 1032 et seq.).

403.2.1 FIRE CODES

The Office shall conform to all federal, state, and local fire safety codes.

403.2.2 FIRE PREVENTION RESPONSIBILITY

All staff, volunteers, and contractors who work in the facility are responsible for the prevention of fires. They should be trained and given the tools to carry out the tasks necessary to reduce the risk of fire.

403.3 FIRE SUPPRESSION PRE-PLANNING

Pursuant to Penal Code § 6031.1, the Jail Commander shall, in cooperation with the local fire department or other qualified entity, develop a plan for responding to a fire. The plan shall include but is not limited to (15 CCR 1032):

- (a) A fire suppression pre-plan by the local fire department, to be included as part of this policy.
- (b) Fire prevention, safety inspection plans, and record retention schedules developed by designated staff or as required by applicable law.
- (c) Fire prevention inspections as required by Health and Safety Code § 13146.1(a) and (b), which requires inspections at least once every two years.
- (d) Documentation of all fire prevention inspections, all orders to correct, and all proofs of correction should be maintained for a minimum of two years or as otherwise required by law.
- (e) An evacuation plan (see the Evacuation Policy).
- (f) A plan for the emergency housing of inmates in case of fire.

Fire Safety

- (g) A plan for the cross-training of responders and facility staff via drills, which should occur at least quarterly, if practicable.

403.4 FIRE PREVENTION EQUIPMENT

All required fire alarms, sprinklers, and detection devices shall be in good working order at all times.

Should such a device become inoperative, the Jail Commander or the authorized designee shall be responsible for ensuring that emergency repairs are undertaken as soon as possible and that staff is provided with an alternative emergency fire safety and evacuation plan.

Any time any fire prevention system is inoperative and poses a serious life-safety risk, that portion of the facility shall not be inhabited by inmates or staff.

403.5 FIREFIGHTING EQUIPMENT

The Jail Commander shall ensure that the facility is equipped with the necessary firefighting equipment (e.g., fire hoses, extinguishers) in an amount and in a location as recommended by the local fire authority or other qualified entity. The locations of firefighting equipment will be shown on the facility fire plan (schematic).

While the staff is not trained as fully qualified firefighters, the Jail Commander or the authorized designee will ensure that the staff is trained to initially respond to a fire with the purpose of facilitating the safety of the occupants, including evacuation, if necessary.

403.6 FIRE TRAINING

The Training Sergeant is responsible for ensuring that within the first six months of assignment to the facility, all staff members receive training. The staff should also be trained in the use of the facility's firefighting equipment sufficient to demonstrate proficiency. The staff should receive refresher training at least annually on the use of firefighting equipment.

Each shift will have at least one designated staff member who is trained to maintain the facility's firefighting equipment.

403.7 INSPECTIONS

The Office shall be inspected by an appointed staff member who is qualified to perform fire and safety inspections on a monthly basis to ensure that fire safety standards are maintained. These inspections will be focused on, but not limited to, fire prevention, staff training and proficiency, firefighting equipment availability and functionality, alarms, fire detectors, fire safety equipment, and staff familiarity with prevention and suppression techniques, suppression pre-planning, SCBA use, emergency response, fire safety equipment use, and the evacuation plan.

The Jail Commander or the authorized designee shall ensure that staff conduct weekly fire and safety inspections of the facility and that all fire safety equipment is tested at least quarterly (15 CCR 1029(a)(7)(E)).

Fire Safety

A staff member shall be assigned to coordinate with local or state fire officials for the inspections as required once every two years, pursuant to Health and Safety Code § 13146.1(a); and Health and Safety Code § 13146.1(b). The result of all fire inspections and fire equipment testing shall be provided to the Jail Commander and the Sheriff, and the records maintained for at least two years (15 CCR 1032(b)).

403.7.1 FURNISHINGS

All furnishings allowed in the facility shall meet fire authority standards for fire performance characteristics. Prior to the introduction of any furnishing into the facility, the staff shall receive clearance from the local fire authority as to its appropriateness.

403.7.2 FLAMMABLE, TOXIC AND CAUSTIC MATERIALS

The Jail Commander, in collaboration with the local environmental health expert, will review the type of materials introduced into the facility to ensure that flammable, toxic, and caustic materials are controlled and used safely. All such materials will be safely stored and only used by inmates under the direction of the staff.

403.8 EMERGENCY HOUSING OF INMATES

The Jail Commander or the authorized designee shall develop a plan for the emergency housing of inmates in the event of a fire (15 CCR 1032(e)). The plan should include procedures for continuing to house inmates in the facility, identification of alternate facilities and the potential capacity of those facilities, inmate transportation options, and contact information for allied agencies. This plan shall be reviewed annually and revised if necessary.

Evacuation

404.1 PURPOSE AND SCOPE

The purpose of this policy is to promote planning and to establish procedures, responsibilities, and training requirements for the staff of the Kings County Sheriff's Office jail in case of fire and other emergency evacuations.

404.2 POLICY

The community, staff, volunteers, contractors, and inmates should have a well-researched and validated evacuation plan that can be implemented in the event any portion of this facility requires evacuating due to an emergency (e.g. fire, smoke, flood, storm) (15 CCR 1032(d)). All custody staff should be knowledgeable about the evacuation plan, policy, and procedures.

404.3 EVACUATION PLAN

The Kings County Sheriff's Office maintains an evacuation plan to be implemented in the event of a fire, natural disaster, or other emergency (15 CCR 1032(d)). At a minimum the evacuation plan shall address the following:

- Location of facility building and floor plans
- Procedures on how inmates are to be released from locked areas
- Relocation areas to be used for housing inmates in the event of a full or partial evacuation
- Notifications
- Training and drill requirements for staff
- Reporting requirements

The Jail Commander shall ensure that the evacuation plan is maintained and updated as needed and is reviewed for accuracy at least annually by a qualified independent inspector and in coordination with the local fire authority.

A current copy of the evacuation plan shall be maintained in the Administration office and in the command area of each annex facility.

404.3.1 EXITS

All exits in this facility should be distinctly and permanently marked. Exit signs will be clearly visible and maintained in all public areas of the facility.

Except for temporary reasons, such as maintenance or repairs, all exits to the facility shall remain free from obstacles at all times regardless of the frequency of use. It is the duty of all staff to remove any obstructions that block, either partially or completely, staff's ability to observe or use any exit.

All housing areas and places of assembly that are designed for occupancy of 50 individuals or more shall have two available exits.

Evacuation

404.3.2 EVACUATION PLANS AND ROUTES

Plans for evacuation routes will be posted in all public areas of the facility. All custody staff will be familiar with evacuation routes for inmates.

404.3.3 EMERGENCY HOUSING OF INMATES

The Jail Commander or the authorized designee shall develop a plan on the emergency housing of inmates in the event of a full or partial evacuation of the facility. The plan will address when inmates should be housed in place, identification of alternate facilities, and the potential capacity of those facilities, inmate transportation options, and contact information for allied agencies. This plan shall be reviewed at least annually and revised if necessary.

Chapter 5 - Inmate Management

Population Management System

500.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of inmate population accounting that promotes the safety and security of the facility on a daily operational basis. It assembles data that enables the Office to forecast staffing and facility growth needs into the future, and to plan for the associated expenditures.

500.2 POLICY

It is the policy of this facility that an inmate population management system should be established and maintained to account for the admission, processing and release of inmates. The Jail Commander or the authorized designee is responsible for ensuring that detailed daily reports of the facility's inmate population are completed and maintained by the staff. The reports shall reflect the average daily population of sentenced and non-sentenced inmates by categories of adult male, adult female. The Jail Commander should collect and submit the data to the Sheriff in a monthly report within 10 working days of the end of each month. The Sheriff or the authorized designee should maintain the data in an accessible format for historical purposes, trend analysis and to respond to funding opportunities (15 CCR 1040).

500.2.1 DATA COLLECTION

For each reporting period, the report should include, but will not be limited to:

- (a) Current number of beds in:
 - 1. Compliance with local or state standards
 - 2. General housing
 - 3. Medical/mental health
- (b) Average Daily Population (ADP) for:
 - 1. Minimum security
 - 2. Maximum security
 - 3. High security
 - 4. Administrative segregation
- (c) Highest one-day inmate population
- (d) Number and/or percentage of:
 - 1. Bookings
 - 2. Male inmates
 - 3. Female inmates

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4. Non-sentenced inmates
 5. Felony inmates
 6. Pretrial inmates released
 7. Sentenced inmates released early due to lack of space
 8. Inmates receiving psychotropic medication
- (e) Number of inmates:
1. Enrolled in work release program
 2. Enrolled in work furlough program
 3. Assigned to home electronic monitoring program
- (f) Number of:
1. Inmate-on-inmate assaults
 2. Inmate-on-staff assaults
 3. Escapes/attempted escapes
 4. Active misdemeanor warrants
 5. Active felony warrants
 6. Inmate grievances and dispositions
 7. Inmate disciplinary reports and dispositions
- (g) Any other demographic information (e.g., gang activity)

500.2.2 PROCEDURE

The Training Sergeant will gather all needed information that is available, as required by Minimum Jail Standards (15CCR Section 1040) and complete both the Monthly and Quarterly Jail Profile Survey forms. The sergeant will then transmit the information contained on these forms on-line to the Board of State and Community Corrections (BSCC). The Training Sergeant will maintain a file of the data sent to the BSCC. After survey forms have been saved for a period of 30 months, they may be purged.

The Training Sergeant will maintain liaison with the BSCC to ensure that, to the extent possible, all required data elements are collected. Any changes to the Monthly or Quarterly survey forms will be integrated into the data gathering protocols used at the Kings County Jail.

Inmate Reception

501.1 PURPOSE AND SCOPE

The Kings County Sheriff's Office has a legal and methodical process for the reception of arrestees into this facility. This policy establishes guidelines for security needs, the classification process, identification of medical/mental health issues and the seizure and storage of personal property.

501.2 POLICY

This office shall use the following standardized policies when receiving arrestees to be booked into this facility. This is to ensure security within the facility and that arrestees are properly booked and afforded their applicable rights.

501.3 PRE-BOOKING SCREENING

All arrestees shall be screened prior to booking to ensure the arrestee is medically acceptable for admission and that all arrest or commitment paperwork is present to qualify the arrestee for booking. Required paperwork may include the following:

- (a) Arrest reports
- (b) Probable cause declarations
- (c) Warrants or court orders
- (d) Victim notification information
- (e) Special needs related to religious practices, such as diet, clothing and appearance (see the Religious Programs Policy)
- (f) Accommodation requests related to disabilities (see the Inmates with Disabilities Policy)
- (g) Information regarding suicidal statements or actions

Any discrepancies or missing paperwork should be resolved before accepting the arrestee for booking from the arresting or transporting deputy.

Prior to accepting custody of an arrestee who claims to have been arrested due to a mistake of the arrestee's true identity or an arrestee who claims that identity theft led to the issuance of a warrant in the arrestee's name, staff shall make reasonable efforts to investigate the arrestee's claim of identity fraud or mistake. Staff shall notify a supervisor when an arrestee makes a claim of mistaken identity or identity fraud.

501.3.1 IMMIGRATION DETAINERS

Refer to section 520 for information regarding immigration detainers.

501.3.2 IMMIGRATION HOLDS - ICE REQUESTS

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Refer to section 520 for information regarding immigration detainers.

501.3.3 NOTICE TO INDIVIDUALS

Refer to section 520 for information regarding immigration detainers.

501.4 SEARCHES BEFORE ADMISSION

All arrestees and their property shall be searched for contraband by the booking deputy before being accepted for booking. All contraband items will be handled according to facility policy. Items of possible evidentiary value may be turned over to the arresting or transporting deputy for processing or processed according to the facility's rules for handling evidence. Approved personal property and clothing will be accepted. Items not approved will be returned to the arresting or transporting deputy prior to the arrestee being accepted for booking. A description of the items returned to the arresting or transporting deputy shall be documented on the arrestee's booking record.

Strip searches shall be conducted in accordance with the Searches Policy.

501.5 ADMISSION PROCESS

A unique booking number shall be obtained specific to the current admission. Photographs and fingerprints shall be taken.

The admission process should include an attempt to gather a comprehensive record of each arrestee booking, including the following:

- Identifying information (including name and any known aliases or monikers)
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency and signature of the arresting deputy and the transporting deputy, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information and court jurisdiction
- Sex
- Age
- Date of birth
- Race
- Height and weight
- Occupation and current or most recent employment

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- Preferred emergency contact (including name, address, telephone number and relationship to inmate)
- Driver's license number and state where issued, state identification number or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state and federal criminal history records
- Photographs, fingerprints and notation of any marks or physical characteristics unique to the inmate, such as scars, birthmarks, deformities or tattoos
- Medical, dental and mental health screening records, including suicide risk
- Inventory of all personal property including clothing, jewelry and money.
 - Items of rare or unusual value should be brought to the attention of a supervisor
 - The inmate's signature should be obtained on the booking record and on any forms used to record money and property

501.5.1 LEGAL BASIS FOR DETENTION

Arrestees admitted to the facility shall be notified of the official charge for their detention or legal basis of confinement in a language they understand.

501.6 TRANSITION FROM RECEPTION TO GENERAL POPULATION

The Shift Supervisor is responsible to ensure only arrestees who qualify are placed into general population cells or housing. Those who will not be placed into general population include:

- (a) Arrestees who are eligible for release following citation.
- (b) Arrestees who are intoxicated or under the influence of any chemical substance.
- (c) Arrestees who are arranging bail. They shall be permitted a reasonable period of time, at the discretion of the Shift Supervisor, to make telephone calls before being placed in general population.

501.6.1 MONITORING FOR SIGNS OF INTOXICATION AND WITHDRAWAL

Staff shall respond promptly to medical symptoms presented by inmates to lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the facility.

Custody staff should remain alert to signs of drug and alcohol overdose and withdrawal, which include, but are not limited to, sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing and generalized aches and pains. Any staff member who suspects that an inmate may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the supervisor, who shall ensure that the appropriate medical staff is notified.

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501.6.2 INMATE SEPARATION

Inmates should be separated from the general population during the admission process. Newly admitted inmates should be separated according to the facility's classification plan.

501.6.3 SEARCH PRIOR TO GENERAL POPULATION HOUSING

Prior to housing any inmate from booking to population the inmate must be placed on the Body Orifice Security Scanner (BOSS Chair) at the time of dress out.

Body Orifice Security Scanner searches shall be conducted in accordance with the Searches Policy.

501.7 INMATE PROPERTY CONTROL

All property received from inmates at the time of booking shall be inventoried. A receipt should be signed by the inmate and the booking deputy, and referenced to the booking number before the admission is completed. The original copy of the property receipt will be retained and placed in the inmate file and/or with the property.

A. Excess personal clothing shall be not be accepted at the time of booking and returned to the arresting agency.

B. The jail will not accept property that is in excess of (1) standard sized brown grocery bag.

C. The facility Sergeant will use their discretion when accepting any questionable items for any person being booked into the Kings County Jail.

501.7.1 VERIFICATION OF INMATE'S MONEY

All monies belonging to the inmate and retained by the booking deputy shall be verified in front of the inmate. The arresting agency should initial the dollar amount on the booking sheet. All money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. Jewelry and other small property should also be sealed in an envelope. All envelopes should clearly indicate the contents on the front. The person sealing it should initial across the sealed flap. Should any money be withdrawn or added to the cash envelope, the person making the change shall enter the new amount below the original entry and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope.

501.7.2 PROPERTY STORAGE

All inmate property should be stored in a secure storage area. Only authorized personnel may access the storage area and only for the purpose of depositing or retrieving property, or to conduct duly authorized work, including maintenance and other duties as directed by the Jail Commander.

501.7.3 UNACCEPTABLE PROPERTY

The Kings County Jail will not accept excess property belongings to arrestees being booked into the jail. Duffle bags, suitcases, back packs, boxes, bikes, etc. are considered unacceptable property. All property must fit into one standard grocery sized brown paper bag. All excess property

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must be taken by the arresting agency. Some items to be considered to be contraband are cigarettes, tobacco, marijuana, lighters/matches, knives and smoking pipes are prohibited. They will not be allowed into the jail facility. It will be the facility Sergeant's discretion to allow any questionable item into the jail. Questions regarding this policy may be directed to the Facility Commander.

Kings County Jail will not accept knives to be placed in an inmate's property. All knives will be given back to the arresting officer.

The arresting officer(s) will address a mailer envelope or they may allow the inmate to address a mailer envelope so that the knife(s) will be sent to the subject's home address.

The mailer envelopes are provided by the jail and will be available to arresting agencies. The arresting officer is to take the mailer when he/she leaves.

* If someone with a knife is homeless and has no one they can mail the knife to, then the jail will accept it. The knife will be placed into an envelope and clearly marked "KNIFE". It will then be placed into the inmate's property bag.

501.7.4 ACCEPTANCE OF INMATES FROM OTHER FACILITIES

A. Before leaving another institution or facility the transportation deputy will go through the inmate's property with the inmate present and explain that all his/her property must fit into a standard size plastic evidence bag. Only the clothing being worn by the inmate will be permitted. No excess clothing will be transported from other facilities or institutions.

B. Transportation staff will not accept items issued or purchased at other facilities or institutions that would not be sold on Kings County Jail Canteen. Items that will not be accepted will be magazines, books, craft work, any open food item, newspapers, etc.

C. If an inmate is Pro-Per his/her legal paperwork will be consolidated to fit into one standard size accordion folder. The inmate must decide what legal paperwork is relevant, to his/her current case. If the inmate is not Pro-Per, they may bring their minute order or warrant issued to them. All other legal documents will be considered normal property and must comply with property guidelines.

D. Transport staff at their discretion will not allow any item he/she deems to be contraband. No contraband will be allowed into the inmate's property bag, (i.e. cigarettes, lighters/matches, knives, etc.). Additional excess property will not be transported.

501.8 INMATE TELEPHONE CALLS

Every inmate, whether adult or juvenile, detained in this facility shall be entitled to at least three completed telephone calls immediately upon being admitted and no later than three hours after arrest. Either the arresting or booking deputy must ask the inmate if he/she is a custodial parent with responsibility for a minor child as soon as practicable, but no later than three hours after the arrest, except when physically impossible. If the inmate is a custodial parent with responsibility for

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a minor child, the inmate shall be entitled to make two additional telephone calls for the purpose of arranging care for the minor child (Penal Code § 851.5).

The calls may be of a duration that reasonably allows the inmate to make necessary arrangements for matters that he/she may be unable to complete as a result of being arrested. The calls are not intended to be lengthy conversations and the custody staff may use their judgment in determining the reasonable duration of the calls.

There is no obligation for the custody staff to make a telephone call on an inmate's behalf, for example in the case of a person who is so intoxicated that he/she cannot make a call. The custody staff is not required to wake an intoxicated person so that the person may complete a call. An intoxicated person should be provided the opportunity to make the telephone calls once the person awakes.

501.8.1 TELEPHONE CALL PROCEDURES

The Office will pay the cost of local calls. Long distance calls will be paid by the inmate, using calling cards or by calling collect.

Calls between the inmate and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

The provisions of Penal Code § 851.5 shall be posted in bold block type in a conspicuous place within the custody facility.

501.8.2 POSTING OF TELEPHONE INFORMATION

A sign containing the information as required in Penal Code § 851.5 in bold block type shall be posted in a conspicuous place where the inmates make their booking telephone calls.

The public defender's telephone number shall be posted with the sign.

The signs shall be in English, Spanish and any other language spoken by a substantial number of the public, as specified in Section 7296.2 of the Government Code, who are served by this agency (Penal Code § 851.5).

501.8.3 ONGOING TELEPHONE ACCESS

Ongoing telephone access for inmates who are housed at this facility will be in accordance with the Inmate Telephone Access Policy.

Housing Safety Checks

502.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a requirement for conducting housing safety checks on at least an hourly basis for all inmates, and for creating and maintaining a log to record and document all safety checks.

502.2 POLICY

It is the policy of the King County Sheriff's Office that all detention staff shall conduct safety checks at least every hour (every 60 minutes) on all inmates or more frequently as determined by the inmate's custody status, medical or mental health needs, and/or housing classification. Safety checks shall be made through direct visual observation. Cameras and monitors may supplement the required visual observation safety checks but they shall not replace the need for direct visual observation. Safety checks for inmates temporarily housed in the booking area will be clearly documented on permanent logs in accordance with the Office's Daily Activity Logs and Shift Reports Policy (See Policy No. 508.3). Housing safety checks in all other housing units, including housing in the "T" pod, will be recorded using the Pipe Guard Pro Recorder.

502.3 HOUSING SAFETY CHECKS

deputy

The staff shall adhere to the following procedures when conducting housing safety checks (Title 15 CCR § 1027):

- (a) Housing safety checks shall be conducted at least once every 60 minutes and more frequently if necessary. An example of when a safety check shall be needed more often than every 60 minutes includes, but is not limited to, when an inmate has a medical or mental health condition or issues or concerns that require more frequent monitoring. Such frequency shall be determined by the medical staff and communicated to staff in writing.
- (b) Housing safety checks shall be completed by personal observation of each inmate by a deputy and shall be sufficient to determine whether the inmate is experiencing any stress or trauma.
- (c) Cameras and monitors may supplement the required visual observation for housing safety checks, but shall not replace the need for direct visual observation. Staff shall not rely on cameras and monitors to satisfy the requirement to conduct a housing safety check for each inmate.
- (d) Housing safety checks for inmates temporarily housing in the booking area will be clearly documented on permanent logs in accordance with Office policy. Housing safety checks for all other housing areas, including housing in the "T" pod area, will be recorded by staff using the Pipe Guard Pro Recorder.
- (e) Actual times of the checks and notations should be recorded on the daily activity logs by the deputy conducting the check, along with the deputy's badge number and last name. Badge numbers and last names shall be legibly written in ink.

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(f) Log entries shall never be made in advance of the actual check. Log entries made in this manner do not represent factual information and are prohibited.

(g) The Senior Detentions Deputy on duty and/or the Sergeant shall review the documentation of housing safety checks for inmates temporarily housed in the booking area twice during their twelve hour shifts to ensure that they are conducted in accordance to this Policy.

office

Special Management Inmates

503.1 PURPOSE AND SCOPE

Inmates who pose a heightened risk to themselves or others require special management, including frequent interaction and increased supervision by staff. Interaction with special management inmates is essential to maintaining a safe, secure and humane environment. This policy establishes guidelines and procedures for interacting with special management inmates in the custody of the Kings County Sheriff's Office.

503.1.1 DEFINITIONS

Definitions related to this policy include:

Administrative segregation - The physical separation of an inmate who is prone to escape or assault staff or other inmates, or one who is mentally deficient, in need of medical isolation or infirmary status. This is a non-punitive classification process.

Protective custody - A level of custody either requested or required for an inmate's protection from others.

Special management inmate - An inmate who falls into either of the previously mentioned classifications.

503.2 POLICY

This office shall provide for the secure and segregated housing of any inmate but shall not impose more deprivation of privileges than is necessary to obtain the objective of protecting the inmate, staff or the public (15 CCR 1053).

503.3 SPECIAL MANAGEMENT INMATES HOUSING CRITERIA

The safety and security of this facility is dependent on a classification system that identifies inmates who pose a risk to themselves or to others. Inmates who pose such a risk must be promptly and appropriately segregated from the general inmate population until such time that they no longer pose a risk. Staff must have the ability to promptly segregate these inmates pending further review.

Individuals who may be classified as special management inmates include, but are not limited to, inmates who are:

- In protective custody or court-imposed segregation.
- Exhibiting mental health concerns.
- An escape threat.
- A serious violence threat.
- Known to have gang affiliation.
- A known management problem.

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- A suicide risk.
- Exhibiting medical issues.
- Physically impaired.

503.4 CIRCUMSTANCES REQUIRING IMMEDIATE SEGREGATION

Inmates will generally be assigned to segregation through the classification process. The Jail Commander or Shift Supervisor has the authority to immediately place any inmate into segregation when it reasonably appears necessary to protect the inmate or others (15 CCR 1081(d)) (see the Disciplinary Segregation Policy).

Reasons that an inmate may be placed into immediate segregation include the following:

- (a) The inmate requests protection or is under court-ordered protection, or the staff has determined that the inmate requires protection.
- (b) There is reason to believe the inmate poses a danger to him/herself or others.
- (c) The inmate poses an escape risk.
- (d) The inmate requires immediate mental health evaluation and medical housing is not reasonably available.
- (e) The inmate is charged with a disciplinary infraction and is awaiting a disciplinary hearing. In the judgment of the staff, the inmate may become disruptive or dangerous if left in general population.
- (f) Other circumstances where, in the judgment of the staff, the inmate may pose a threat to him/herself, others or the security of the facility.

503.4.1 REVIEW PROCESS

The Jail Commander shall be notified when any inmate is placed in immediate segregation and shall be informed of the circumstances leading to the order to segregate. Within 72 hours of the inmate being placed into segregation, the Jail Commander or the authorized designee must review the circumstances surrounding the segregation to determine which of the following actions shall be taken:

- (a) The inmate is designated for administrative segregation.
- (b) The inmate is designated for protective custody.
- (c) The inmate remains segregated pending a disciplinary hearing.
- (d) The inmate is returned to general inmate population.

503.5 PROTECTIVE CUSTODY

The deputy responsible for assigning classifications to incoming inmates shall clearly document the reason an inmate should be placed into protective custody. Inmates in need of protective

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custody may be placed in a segregation unit when there is documentation that the protective custody is warranted and segregation is the least restrictive alternative reasonably available.

Inmates who are in protective custody shall receive all services and programs that are available to inmates in general population and that are deemed a privilege. Any deviation from allowing usually authorized items or activities shall be documented on the inmate's file.

503.6 MAINTENANCE OF PRIVILEGES

Administrative segregation and protective custody shall consist of separate and secure housing but shall not involve any deprivation of privileges other than what is necessary to protect the inmates or staff (15 CCR 1053).

Inmates who are classified for housing in administrative segregation or protective custody shall, at a minimum, be allowed access to programs and services including, but not limited to, the following:

- Inmate telephones
- Family visitation
- Educational programming appropriate to the inmate classification
- Access to commissary services
- Library and law library services
- Social services
- Faith-based guidance, counseling and religious services
- Recreation activities and exercise
- Social and professional visits

Nothing in this policy prohibits changing the delivery of programs or services to segregated inmates in order to provide for the safety and security of other inmates and staff.

503.7 REVIEW OF STATUS

The Shift Supervisor or classification officer shall review the status of all inmates who are housed in segregation units and designated for administrative segregation or protective custody. This review shall occur every seven days for the first two months of segregation and at least once every 30 days thereafter. The review should include information about these inmates to determine whether their status in administrative segregation and protective custody is still warranted.

If other reasonable housing options exist that will provide for the safety of the inmate, the inmate should be moved out of segregation. In reviewing an alternative housing decision, the safety of the inmate shall receive the utmost consideration.

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503.8 HEALTH EVALUATION REQUIREMENTS

After notification from staff that an inmate is being placed in segregation, the Shift Supervisor shall ensure that the following occurs:

- (a) A qualified health care professional shall review the inmate's health record to determine whether existing medical, dental or mental health needs contraindicate the placement or require special accommodations.
- (b) If contraindications or special accommodations are noted, the qualified health care professional shall inform the Shift Supervisor and coordinate the appropriate plan for the inmate based on the safety needs of the facility and the medical needs of the inmate.

503.8.1 HEALTH CONSIDERATIONS

Due to the possibility of self-inflicted injury and depression during periods of segregation, health evaluations should include notations of any bruises and other trauma markings and the qualified health care professional's comments regarding the inmate's attitude and outlook.

- (a) Unless medical attention is needed more frequently, each inmate in segregation should receive a daily visit by medical staff. A medical assessment should be documented in the inmate's medical file.
- (b) A qualified health care professional shall also conduct weekly rounds for a mental health evaluation.

When an inmate is classified as a special management inmate due to the presence of a serious mental illness and is placed in a segregation setting, the staff shall document this in the inmate's file and notify the qualified health care professional. When an inmate is expected to remain in segregation for more than 30 days (based upon disciplinary decisions, protective needs or other factors), the qualified health care professional should be notified.

Where reasonably practicable, a qualified health care professional should provide screening for suicide risk during the three days following admission to the segregation unit.

503.9 SAFETY CHECKS

A staff member shall conduct a face-to-face safety check of all special management inmates, including those housed in administrative segregation or protective custody, at least every hour on an irregular schedule. Inmates who are violent, have mental health problems or who demonstrate behavior that is easily identified as out of the ordinary or bizarre should be personally observed by the staff more frequently on an irregular schedule.

Inmates who are at risk of suicide shall be under continuous observation until seen by the jail health nurse or mental health professional. Subsequent supervision routines should be in accordance with orders provided by the mental health professional.

Special management inmates shall receive increased monitoring to include at a minimum:

- (a) Visits by members of the program staff, upon request.

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- (b) Visits by a qualified health care professional three times per week, unless medical attention is needed more frequently.

All management, program staff and medical professional visits shall be documented in the appropriate records and logs and retained in accordance with established records retention schedules.

503.10 LOG PROCEDURES

Handwritten logs should be completed in ink. Once an entry is made it should not be modified. If corrections or changes are needed they should be done by way of a supplemental entry. Electronically captured logs will be maintained in a way that prevents entries from being deleted or modified once they are entered. Corrections or changes must be done by way of supplemental entries. At a minimum the log will contain the following:

- Inmate name
- Inmate identification number
- Housing location
- Classification status
- Date admitted
- Date and time of entry and exit from the cell
- Type of infraction or reason for admission
- Tentative release date
- Any special medical or psychiatric problems or needs
- Counseling for behavior

Log entries should be legible, entered promptly into the JLAN System and provide sufficient detail to adequately reflect the events of the day for future reference.

The date and time of the observation or incident and the name and identification number of the staff member making the log entry shall be included on each entry.

Supervisors should review the logs frequently during the shift and enter comments as appropriate. At minimum, supervisors should enter the date and time of each review.

All safety checks will be documented in detail and should include the exact time of the safety check and the identification information of the employee conducting the check. All documentation will be gathered and provided to the Shift Supervisor or Jail Commander at midnight each day.

503.10.1 LOG INSPECTION AND ARCHIVAL OF LOGS

The Shift Supervisor shall review and evaluate the logs and pass any significant incidents via the chain of command to the Jail Commander for review.

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The logs will be retained by the Office in accordance with established records retention schedules, but in no case less than one year.

Inmate Handbook and Orientation

504.1 PURPOSE AND SCOPE

This policy provides for the orientation of inmates booked into the Kings County Sheriff's Office facility. The purpose of the orientation is to inform inmates of the jail routine, rules, inmate rights, and services.

504.2 POLICY

The Jail Commander shall provide an effective method of orienting all incoming inmates that includes an inmate handbook. The orientation should take place within 24 hours of an inmate's admission and in any event prior to the inmate being moved to general population housing and should be an ongoing process in the housing area so that the information is available to the inmates throughout their entire time in custody.

504.3 SEXUAL ASSAULT PREVENTION

Upon arrival at the facility, inmates should be given information in writing about sexual abuse and assault, including the following:

- Prevention of sexual assault
- Intervention
- Instruction to inmates on methods of self-protection against sexual assault
- Instruction and written materials should be presented in the inmate's native language
- Treatment and counseling services to victims or suspected victims of assault
- Reporting incidents of sexual abuse and/or assault

504.4 HEALTH SERVICES

Upon booking in the facility, staff should provide all inmates with the orientation handbook and a verbal explanation of the procedure to access health care services. This information should be provided in a language understood by the inmate.

This communication will be documented in the inmate booking file as part of the standard intake procedure. The information to be communicated will include the following:

- Frequency of routine sick-call services
- Use of the proper forms for requesting health care services
- Use of the emergency notification system
- Medical co-payment guidelines

Inmate Handbook and Orientation

504.5 ACCESS TO THE GRIEVANCE SYSTEM

Upon booking in the facility, the intake deputy shall provide all inmates with the orientation handbook and a verbal explanation of the procedure to access the grievance system. This shall be provided in a language easily understood by the inmate.

This communication shall be documented in the inmate booking file as part of the standard intake procedure. The information to be communicated shall include the following:

- Use of the proper forms to submit a complaint
- Appropriate use of the grievance system
- Time frame for a response to the grievance
- Consequences for abuse of the grievance system

504.6 INITIAL ORIENTATION

To assist with the inmate's transition into a custody environment, the orientation will include the following topics, supplemented by a more detailed inmate handbook that will be provided to each inmate (15 CCR 1069):

- (a) Facility rules and disciplinary sanctions
- (b) Correspondence, visiting, and telephone rules
- (c) Inmate grievance procedure
- (d) Co-pays, fees, and charges
- (e) Medical, dental, and mental health services
- (f) Possibilities for pretrial release
- (g) Programs and activities, including application procedures
- (h) Classification/housing assignments and appeal procedures
- (i) Court appearance, where scheduled, if known
- (j) Availability of personal care items and opportunities for personal hygiene
- (k) Emergency procedures (e.g., fires, evacuations)
- (l) Sexual abuse and sexual harassment information, including the following (28 CFR 115.33):
 - 1. Facility's zero-tolerance policy
 - 2. Prevention and intervention
 - 3. Instruction on how inmates can avoid being victims of sexual abuse and sexual harassment through self-protection techniques
 - 4. Treatment and counseling for victims of sexual abuse or sexual harassment
 - 5. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously

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6. Mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies (28 CFR 115.53)
7. Information regarding confidentiality, monitoring, and mandatory reporting
 - (m) Contacting foreign consuls
 - (n) Requests for religious accommodations
 - (o) Emergency procedures (e.g., fires, evacuations)
 - (p) Voting, including registering to vote
 - (q) Direction for pregnant inmates, including the information required in Penal Code § 3407(e) and 15 CCR 1058.5
 - (r) The right to be taken before a magistrate in this county if held on an out-of-county warrant (Penal Code § 821; Penal Code § 822)

In addition to English, orientation information will be provided in the most commonly used languages for the inmate population.

The Jail Commander should consider enlisting the assistance of volunteers who are qualified and proficient in both English and the language in which they are providing translation assistance to translate the orientation information. Use of outside translation sources may also be considered.

Interpretive services will be provided to inmates who do not speak English or any of the other languages in which the orientation information is available.

A written and signed acknowledgment of the orientation and receipt of the handbook should be maintained in the inmate's permanent file (28 CFR 115.33).

504.7 ORIENTATION FOR NON-READERS, VISUALLY IMPAIRED, AND DEAF OR HARD-OF-HEARING INMATES

Inmates who cannot read, are visually impaired, or have intellectual, psychiatric, or speech disabilities, or limited reading skills shall have the materials read to them by a staff member or presented to them using audible recorded media (28 CFR 115.16).

Inmates who are deaf or hard of hearing shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the inmate in understanding the information.

Inmate Counts

505.1 PURPOSE AND SCOPE

Inmate counts are vital to the security of the facility, the safety of the staff and the welfare of the inmates. This policy establishes guidelines for the frequency of inmate counts, which ensures that all inmates and their status can be accounted for at any time.

505.2 POLICY

It is the policy of this office to account for all inmates within and under the control of this facility through scheduled and other counts as needed (15 CCR 1029(6)).

505.3 PROCEDURE

The Jail Commander or the authorized designee shall be responsible for the process and frequency of counts. Inmate counts shall be conducted [REDACTED]. These counts shall occur at [REDACTED] [REDACTED]

[REDACTED] Emergency counts may be conducted at the direction of the Shift Supervisor as needed. Electronic counts shall not be substituted for direct staff observation.

All counts shall be documented on the daily activity log and verified by a comparison with the Spillman system. If the count does not match with the Spillman system a second count shall be taken. If there continues to be a discrepancy with the count, the Shift Supervisor shall be notified. Counts shall include all inmates in custody, including those on work assignments, furlough, education release and those who are off-site, such as the hospital or court.

Any discrepancy in the count that remains after [REDACTED] should immediately be reported to the Jail Commander and resolved prior to the release of the shift personnel responsible for the count.

In the event that an escape is discovered during the inmate count, the Shift Supervisor will initiate action to investigate the escape by promptly notifying law enforcement agencies and the Jail Commander, initiating a search, and complying with other procedures as needed in accordance with the Facility Emergencies Policy.

A complete report of the incident will be prepared and provided to the Jail Commander and Sheriff as soon as practicable.

All count sheets shall be signed by the Shift Supervisor and forwarded to the Records Division. Count sheets shall be maintained for a period of time prescribed by statute, ordinance or policy.

Reporting In-Custody Deaths

506.1 PURPOSE AND SCOPE

This policy provides direction on how in-custody deaths shall be reported.

506.1.1 DEFINITIONS

Definitions related to this policy include:

In-custody death - The death of any person, for whatever reason (natural, suicide, homicide, accident), who is in the process of being booked or is incarcerated at any facility of this office.

506.2 POLICY

It is the policy of this office to follow state and local guidelines for reporting in-custody deaths (15 CCR 1046).

506.3 MANDATORY REPORTING

All in-custody deaths shall be reported within 10 days of the death to the state Attorney General's office, in accordance with reporting guidelines and statutory requirements (Government Code § 12525).

If the decedent is a boarder for another agency, the Jail Commander shall notify that agency so that agency will assume responsibility for the notification of the decedent's family.

Pursuant to Article 37 of the Vienna Convention on Consular Relation 1963, in the case of the death of a foreign national, telephonic notification to the appropriate consulate post should be made without unreasonable delay and confirmatory written notification shall be made within 72 hours of the death to the appropriate consulate post. The notification shall include the inmate's name, identification number, date and time of death, and the attending physician's name.

In the event that a juvenile dies while in-custody, the Jail Commander or the authorized designee shall notify the court of jurisdiction and the juvenile offender's parent or guardian (15 CCR 1047). A copy of the report provided to the state Attorney General's office shall be submitted to the Board of State and Community Corrections within 10 days of the death (15 CCR 1046(b)(1)).

506.4 PROCEDURE

Upon determining that a death of any person has occurred while in the custody of this office, the Shift Supervisor is responsible for ensuring that the Sheriff and all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed.

The Shift Supervisor shall also promptly notify the Jail Commander and make any other notifications required by policy or direction. The Jail Commander shall observe all pertinent laws and allow appropriate investigating agencies full access to all facts surrounding the death.

The Office shall establish policies and procedures for the investigation of any in-custody death.

Reporting In-Custody Deaths

The decedent's personal belongings shall be disposed of in a responsible and legal manner. All property and records shall be retained according to established records retention schedules.

The individual designated by the decedent shall be notified of all pertinent information as required by law.

During an investigation, all inquiries regarding the death shall be referred to the Public Information Officer. Deputies shall not make a public comment.

506.5 IN-CUSTODY DEATH REVIEW

The Sheriff is responsible for establishing a team of qualified staff to conduct an administrative review of every in-custody death. At a minimum, the review team should include the following (15 CCR 1046(a); 15 CCR 1030):

- (a) Sheriff and/or the Jail Commander
- (b) County Counsel
- (c) District Attorney
- (d) Investigative staff
- (e) Responsible Physician, qualified health care professionals, supervisors, or other staff who are relevant to the incident

The in-custody death review should be conducted no later than 72 hours after the incident.

Transportation of Inmates Outside the Secure Facility

507.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the transportation of inmates outside this facility and to ensure that the staff assigned to transportation duties is qualified and adequately trained.

507.2 POLICY

It is the policy of the Kings County Sheriff's Office to provide safe, secure and humane transportation for all inmates and other persons as required by law.

This office shall transfer all inmates from the jail to the place of imprisonment pursuant to the sentence of the court as soon as practicable after the sentence, in accordance with all laws relating to the transfer of inmates and costs related to transfers to facilities and jurisdictions.

507.3 PROCEDURES

Only staff members who have completed office-approved training on inmate transportation should be assigned inmate transportation duty. All staff members who operate transportation vehicles shall hold a valid license for the type of vehicle being operated.

This transporting staff member is responsible for the following prior to the transportation of any inmate outside the secure confines of this facility:

- (a) Obtain all necessary paperwork for the inmate being transported (e.g., medical/dental records, commitment documents).
- (b) Ensure that all inmates are thoroughly searched and appropriate restraints are applied.
 1. Inmates who are pregnant will not be handcuffed behind their backs or placed in waist restraints while being transported
- (c) Ensure that all vehicle security devices (e.g., window bars, inside cages, door locks) are in good repair and are operational
- (d) Thoroughly search the transporting vehicle for contraband before any inmate is placed inside, and again after removing the inmate from the transporting vehicle.

507.3.1 TRANSPORTATION LOGS

Inmate transportation logs shall be developed by the Jail Commander or the authorized designee and used to log all inmate transportation. The logs shall include:

- Name and identification number of the inmate.
- Date and start/stop time of the transport.
- Location where the inmate was transported.

Transportation of Inmates Outside the Secure Facility

- Name and identification number of the transporting deputy.
- Circumstances of any unusual events associated with the transportation.

The logs shall be retained by the facility in accordance with established records retention schedules.

507.4 TRAINING

The Training Sergeant shall ensure that all employees charged with inmate transportation duties receive training appropriate for the assignment.

Documentation of all training presented shall be retained in the employee's training file in accordance with established records retention schedules.

Safety and Sobering Cells

508.1 PURPOSE AND SCOPE

This policy establishes the requirement for placing inmates into and the continued placement of inmates in safety cells or sobering cells.

508.1.1 DEFINITIONS

Definitions related to this policy include:

Safety cell - An enhanced protective housing designed to minimize the risk of injury or destruction of property used for inmates who display behavior that reveals intent to cause physical harm to themselves or others or to destroy property, or who are in need of a separate cell for any reason, until suitable housing is available.

Sobering cell - A holding cell designed to minimize the risk of injury by falling or dangerous behavior. It is used as an initial sobering place for arrestees or inmates who are a threat to their own safety or the safety of others as a result of being intoxicated from any substance, and who require a protected environment to prevent injury or victimization by other inmates.

508.2 POLICY

This facility will employ the use of safety and sobering cells to protect inmates from injury or to prevent the destruction of property by an inmate in accordance with applicable law.

A sobering or safety cell shall not be used as punishment or as a substitute for treatment. The Jail Commander or the authorized designee shall review this policy annually with the Responsible Physician.

508.3 SAFETY CELL PROCEDURES

The following guidelines apply when placing any inmate in a safety cell:

- (a) Placement of an inmate into a safety cell requires approval of the Shift Supervisor or the Responsible Physician (15 CCR 1055).
- (b) A safety cell log shall be initiated every time an inmate is placed into the safety cell and should be maintained for the entire time the inmate is housed in the cell. Cell logs will be retained in accordance with established office retention schedules.
- (c) A safety check consisting of direct visual observation that is sufficient to assess the inmate's well-being and behavior shall occur twice every 30 minutes (15 CCR 1055). Each safety check of the inmate shall be documented. Supervisors shall inspect the logs for completeness every two hours and document this action on the safety cell log.
- (d) Inmates should be permitted to remain normally clothed or should be provided a safety suit, except in cases where the inmate has demonstrated that clothing articles may pose a risk to the inmate's safety or the facility. In these cases, the reasons for not providing clothing shall be documented on the safety cell log.

Safety and Sobering Cells

- (e) Inmates in safety cells shall be given the opportunity to have fluids (water, juices) at least hourly. Deputies shall provide the fluids in paper cups. The inmates shall be given sufficient time to drink the fluids prior to the cup being removed. Each time an inmate is provided the opportunity to drink fluids will be documented on the safety cell log.
- (f) Inmates will be provided meals during each meal period. Meals will be served on paper plates or in other safe containers, and the inmates will be monitored while eating the meals. Inmates shall be given ample time to complete their meals prior to the plate or container being removed. All meals provided to inmates in safety cells will be documented on the safety cell log.
- (g) The Shift Supervisor shall review the appropriateness for continued retention in the safety cell at least every four hours (15 CCR 1055). The reason for continued retention or removal from the safety cell shall be documented on the safety cell log.
- (h) A medical assessment of the inmate in the safety cell shall occur within 12 hours of placement or at the next daily sick call, whichever is earliest. Continued assessment of the inmate in the safety cell shall be conducted by a qualified health care professional and shall occur at least every 24 hours thereafter. Medical assessments shall be documented.
- (i) A mental health assessment shall be conducted within 12 hours of an inmate's placement in the safety cell (15 CCR 1055). The mental health professional's recommendations shall be documented.

508.4 SOBERING CELL PROCEDURES

The following guidelines apply when placing any inmate in a sobering cell:

- (a) A sobering cell log shall be initiated every time an inmate is placed into a sobering cell. The log shall be maintained for the entire time the inmate is housed in the cell. Cell logs will be retained in accordance with established office retention schedules.
- (b) A safety check consisting of direct visual observation that is sufficient to assess the inmate's well-being and behavior shall occur at least once every 30 minutes on an irregular schedule. Each visual observation of the inmate by staff shall be documented. Supervisors shall check the logs for completeness every two hours and document this action on the sobering cell log.
- (c) Qualified health care professionals shall assess the medical condition of the inmate in the sobering cell at least every six hours (15 CCR 1056). Only inmates who continue to need the protective housing of a sobering cell will continue to be detained in such housing.
- (d) Inmates will be removed from the sobering cell when they no longer pose a threat to their own safety and the safety of others and are able to continue the booking process.
- (e) Females and males will be detained in separate sobering cells.

Inmate Classification

509.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an objective classification plan designed to identify security and health issues during the booking process so that inmates may be housed in such a way as to reduce the probability of assaultive and disruptive behavior and to foster a safe and secure facility.

509.1.1 DEFINITIONS

Definitions related to this policy include:

Civil detainee - Any person held in custody for a reason other than for criminal matters.

509.2 POLICY

It is the policy of the Kings County Sheriff's Office to properly classify inmates during the booking process according to their security and health risks so that appropriate housing assignments may be made (Title 15CCR § 1050(a)).

509.3 RELEASE AT OR FOLLOWING CLASSIFICATION

An individual arrested for intoxication only, with no further proceedings anticipated, should be released as soon as medically cleared and custodial staff reasonably determine the person is no longer impaired to the extent that the person cannot care for his/her own safety.

Misdemeanor inmates who meet criterion established by local courts may be cited and released on his/her Own Recognizance by the Sheriff or the authorized designee. (15 CCR 1029(a)(5)).

509.4 CLASSIFICATION PLAN

The Jail Commander or the authorized designee should create and maintain a classification plan to guide staff in the processing of individuals brought into the facility.

The plan should include an initial screening process, as well as a process for determining appropriate housing assignments (28 CFR 115.42). The plan should include use of an objective screening instrument, procedures for making decisions about classification and housing assignments, as well as intake and housing forms and a process to ensure that all classification and housing records are maintained in each inmate's permanent file. The plan should include an evaluation of the following criteria:

- Age
- Sex
- Current charges
- Behavior during arrest and intake process
- Criminal and incarceration history

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- Mental and emotional stability
- Potential risk of safety to others or self
- Special management inmate status
- Special needs assessment for vulnerable inmates
- Behavioral or physical limitations or disabilities
- Medical status
- Level of sobriety at booking
- Suicidal ideation
- Escape history and degree of escape risk
- History of assaultive behavior
- The need to be separated from other classifications of inmates (e.g., juvenile offenders, gang affiliation, confidential informant, former law enforcement, sexual orientation)
- Prior convictions for sex offenses against an adult or child
- Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender non-conforming (see Prison Rape Elimination Act Policy for Transgender and intersex definitions)
- Previous sexual victimization
- The inmate's own perceptions of his/her vulnerability
- Whether the inmate is detained solely for civil immigration purposes
- Whether the inmate is a foreign national and if so from what country (see Foreign Nations and Diplomats Policy)
- Prior acts of sexual abuse, prior convictions for violent offenses and history of prior institutional violence or sexual abuse, and known to the Office (28 CFR 115.41)
- Any other criteria as deemed appropriate by the Sheriff or the authorized designee

The plan should include a methodology for evaluating the classification process and a periodic review for the purpose of continuous quality improvement.

Information obtained in response to screening questions shall be considered confidential and shall only be made available to those who have a legitimate need to know (28 CFR 115.41).

509.4.1 INMATE RESPONSE TO SCREENING

Inmates may not be compelled by threat of discipline to provide information or answers regarding (28 CFR 115.41):

- (a) Whether the inmate has a mental, physical or developmental disability.

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- (b) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming.
- (c) Whether the inmate has previously experienced sexual victimization.
- (d) The inmate's own perception of vulnerability.

509.5 INITIAL CLASSIFICATION

The initial classification process is intended to identify predatory, violent and at-risk inmates. It should occur early in the intake process to allow for appropriate supervision while an inmate is being temporarily held in this facility and until a decision is made to place the individual into a more permanent housing assignment.

Inmates should be interviewed by an intake deputy as soon as possible in the booking process. The intake deputy shall complete the initial Inmate Pre-Screening form. The Inmate Pre-Screening form should include a place for the intake deputy to make a housing recommendation. This recommendation should be based on the initial intake interview and assessment of the inmates condition.

The initial Inmate Pre-Screening form shall be placed in the inmates file and provided to the classification deputy for review.

509.6 CLASSIFICATION UPON HOUSING

Once it has been determined that the person arrested will not be released from custody on bail or O.R., a more in-depth classification of the inmate will be conducted as soon as possible. The inmate will then be assigned a more permanent housing.

509.6.1 INTERVIEW

The comprehensive classification process begins with an interview by a jail staff member in pre-booking. The jail staff member will ask the inmate a series of questions using the Inmate Pre-Screening Form. The questions, answers, and observations of this interview will be documented and utilized in assigning the appropriate housing for each inmate. All Pre-Screening Forms will be forwarded to the Kings County Jail Classification Unit for further review.

Individualized determinations shall be made about how to ensure the safety of each inmate (28 CFR 115.42).

509.6.2 OVERRIDE

A classification deputy shall have the authority to override housing assignments at any given time. The override capability exists to use the classification deputy's training and expertise in those instances when the inmate's housing needs to be reassessed. The reassessment can come from change in security risk, medical concerns, or intelligence gathered. All overrides will be reviewed by a supervisor and are intended to be an exception, rather than the rule.

Inmates who have an identified history of sexual victimization shall be offered a meeting with a qualified health care or mental health professional within 14 days of screening (28 CFR 115.81).

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509.7 REVIEWS AND APPEALS

Once an inmate has been interviewed in pre-booking and housed, he or she may submit an inmate request to the Classification Unit for alternate housing. The Classification Unit will review the request and respond accordingly. If the inmate is not satisfied with the Classification Unit's response the inmate may utilize the inmate grievance process.

The Jail Commander or authorized designee will make the final decision on all inmates housing.

509.7.1 PERIODIC CLASSIFICATION REVIEWS

The Classification Unit reviews the status of all inmates housed in the Kings County Jail on a continuous basis. The Classification Unit will make changes given current circumstances. An inmate who has been sentenced to more than 60 days may request a classification review no more than 30 days from the last review. An inmate that has not been sentenced may request a classification review no more than 90 days from the last review.

Housing and program assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats experienced by the inmate (28 CFR 115.42).

509.7.2 STAFF REQUESTED REVIEW

At any point during an inmate's incarceration, a staff member may request a review of the inmate's classification. The reason for the review, the review itself and the outcome of the review shall be documented in the inmate's permanent file. Nothing in this section shall prohibit staff from immediately moving an inmate to another location in the facility based on exigent circumstances. Under such circumstances, the staff member moving the inmate must immediately document the action and notify the classification deputy.

509.8 HOUSING ASSIGNMENTS

Inmates should be housed based upon the following criteria:

- Classification (gang affiliation, gang drop-out, informant, sex offender, ex law enforcement, etc.)
- Age
- Sex (males and females will be housed in separate cells)
- Legal status (e.g., pretrial or sentenced)
- Medical, Special problems or needs (mental health, injuries, handicap, etc.)
- Behavior (disciplinary, SHU, AD-Seg, etc.)
- Criminal Sophistication (custodial history, charges, etc.)
- Any other criteria identified by the Jail Commander

509.8.1 SEPARATION

Male and female inmates shall be housed to ensure visual and physical separation.

Civil detainees shall be housed separately from pretrial and sentenced inmates.

Inmate Classification

509.9 CLASSIFICATION SPACE ALLOCATION

The classification plan depends on the ability of the facility to physically separate different classes of inmates. To ensure that allocated space meets the current population needs, the Jail Commander or the authorized designee should periodically meet with representatives of the classification deputies to discuss the fixed resources (e.g., cells, dorms, dayrooms).

The Jail Commander should report at least quarterly to the Sheriff on the ability of the facility to operate safely and securely and to perform its mission.

509.10 SINGLE-OCCUPANCY CELLS

Single-occupancy cells may be used to house the following categories of inmates:

- Maximum security
- Close custody
- Administrative segregation
- Severe medical disabilities (upon consultation with medical staff and the unavailability of medical beds)
- Severe mental illness (upon consultation with mental health staff and the unavailability of mental health beds)
- Sexual predators
- Any inmate with an elevated risk of being exploited or victimized by others
- Any inmate whose condition, behavior or status indicates a special need for single-occupancy housing
- Any inmate who expresses or poses an immediate threat to others

The Classification Supervisor shall notify the Jail Commander or the authorized designee when single-occupancy cells are not available for housing the above described inmates. In such cases, a risk assessment shall be used to identify inmates in the above categories who may be safely housed together. As an alternative, double occupancy cells may be used to house inmates alone when it is not appropriate to have a second inmate in the cell.

509.11 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS

Housing, bed, work and program assignments should be made to separate inmates at high risk of being sexually victimized from those at high risk of being sexually abusive (28 CFR 115.42). Inmates identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other inmates and staff. All inmates identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has

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been determined that there is no available alternative means of separation from likely abusers (28 CFR 115.43; 28 CFR 115.68).

Housing and program assignments of a transgender or intersex inmate shall include individualized consideration for the inmate's health and safety and any related supervisory, management or facility security concerns. A transgender or intersex inmate's views with respect to his/her own safety shall be given serious consideration.

Lesbian, gay, bisexual, transgender or intersex inmates shall not be placed in dedicated facilities, units or wings solely on the basis of such identification or status, unless such placement is pursuant to a consent decree, legal settlement or legal judgment (28 CFR 115.42).

509.12 STAFF TRAINING IN CLASSIFICATION

Classification deputies should receive training specific to inmate classification before being assigned primary classification duties. Individuals not specifically trained in inmate classification may work in classification provided that they are under the immediate supervision of a trained and qualified staff member.

Staff and Inmate Contact

510.1 PURPOSE AND SCOPE

Interaction with inmates allows for continual assessment of the safety and security of the facility and the health and welfare of the inmates. However, inappropriate interaction can undermine security and order in the facility and the integrity of the supervision process.

This policy provides guidelines for appropriate and professional interaction between members and inmates, and is intended to promote high ethical standards of honesty, integrity and impartiality as well as increase facility safety, discipline and morale.

Violation of this policy may result in disciplinary action up to and including dismissal. Members who seek information or clarification about the interpretation of this policy are encouraged to promptly contact their supervisor.

510.2 POLICY

The Jail Commander shall ensure that inmates have adequate ways to communicate with staff and that the staff communicates and interacts with inmates in a timely and professional manner.

510.3 GENERAL CONTACT GUIDELINES

Members are encouraged to interact with the inmates under their supervision and are expected to take prompt and appropriate action to address health and safety issues that are discovered or brought to their attention.

All members should present a professional and command presence in their contact with inmates. Members shall address inmates in a civil manner. The use of profanity or derogatory comments, including any based on race, sex, age, personal appearance or sexual identity, is strictly prohibited.

Written communication (e.g., request forms, inmate communication, grievances, rules infraction forms, disciplinary reports) shall be answered in a timely manner. Such communication shall be filed with the inmate's records.

Members shall not dispense legal advice or opinions, or recommend attorneys or other professional services to inmates.

While profanity and harsh language are prohibited, the Office recognizes the necessity for staff to give inmates direction in a firm, determined and authoritative manner in order to maintain proper supervision and control. Authoritative directions to inmates are particularly instructed when activities or events pose a threat to the safety or security of this facility.

510.4 ANTI-FRATERNIZATION

Personal or other interaction not pursuant to official duties between facility members and current inmates, inmates who have been discharged within the previous year, their family members or

Staff and Inmate Contact

known associates have the potential to create conflicts of interest and security risks in the work environment.

Members shall not knowingly maintain a personal or any business relationship with any persons described in this section unless written permission is received from the Jail Commander.

Prohibited interactions include, but are not limited to:

- (a) Communications of a sexual or romantic nature.
- (b) Salacious exchanges.
- (c) Sexual abuse, sexual assault, sexual contact or sexual harassment.
- (d) Exchanging letters, phone calls or other communications such as texting, social media sites, or any other means of electronic communication.
- (e) Exchanging money or other items.
- (f) Extending privileges, giving or accepting gifts, gratuities or favors.
- (g) Bartering.
- (h) Any financial transactions.
- (i) Being present at the home of an inmate for reasons other than an official visit without reporting the visit.
- (j) Providing an inmate with the staff member's personal contact information, including social media accounts.

510.4.1 EXCEPTIONS

The Jail Commander may grant a written exception to an otherwise prohibited relationship on a case-by-case basis based upon the totality of the circumstance. In determining whether to grant an exception, the Jail Commander should give consideration to factors including, but not limited to:

- Whether a relationship existed prior to the incarceration of the inmate.
- Whether the relationship would undermine security and order in the facility and the integrity of the supervision process.
- Whether the relationship would be detrimental to the image and efficient operation of the facility.
- Whether the relationship would interfere with the proper discharge of, or impair impartiality and independence of, judgment in the performance of duty.

510.5 REPORTING

Members shall promptly notify their immediate custody supervisor verbally and in writing if:

- A family member or close associate has been incarcerated or committed to the custody of the facility.
- The member is, or has been, involved in a personal or family relationship with a current inmate or with an inmate who has been discharged within the previous year.

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The Kings County Sheriff's Office [See attachment: Incarcerated Relatives Close Associate Form.pdf](#) shall be used for written notification. The staff member shall complete the Staff Member section of the form then give the form to the custody supervisor. The custody supervisor will complete the Custody Supervisor section of the form then forward the form to the Jail Commander for review and completion.

The original copy of the completed form will be kept in the employee's Official Personnel File (OPF). For volunteers and contract members, the form will be scanned and placed in the attachments section of their Training Manager file.

510.5.1 ATTEMPTS BY INMATES

Members shall promptly report all attempts by inmates to initiate sexual acts, any salacious conversations, and other correspondence from an inmate or former inmate to the Jail Commander or the authorized designee.

Members shall report all attempts by inmates to intimidate or instill feelings of fear to their custody supervisor.

End of Term Release

511.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain procedures governing the end of term release of inmates to ensure that inmates are not released in error.

511.2 POLICY

It will be the policy of the Kings County Sheriff's Office to provide for the timely, efficient and legal release of inmates.

511.3 RELEASE PROCEDURE

Inmates who have reached the end of their sentenced term or who are ordered released by the court will be scheduled for release at staggered times on their release date to avoid congestion in the release area. Inmates scheduled for release shall be escorted by the staff to the transfer/release area to begin the release procedure 30 minutes prior to their scheduled release time.

The Office, to the extent reasonably practicable, will not release an inmate in severe weather in such a manner as to endanger the inmate's health, safety or well-being. The inmate may be offered a safe mode of transportation to the closest place of safety or the opportunity to remain in a public area of the facility until the inclement weather passes.

The Shift Supervisor or release officer shall sign and date the release paperwork on the same day the inmate is to be released.

Inmates shall not be released or moved during inmate count, change of shift or at any time that would pose a potential safety threat or disrupt the orderly operation of the facility.

All inmates must be positively identified by the staff prior to being released from the facility. Inmate identities should be verified using intake records bearing the inmate's name, photograph and facility identification number.

The inmate should be permitted to make arrangements for transportation prior to release.

Before any inmate may be released, the following conditions must be met:

- (a) The identity of the inmate has been verified.
- (b) All required paperwork for release is present. The staff shall review the active inmate file to verify the validity of the documents authorizing the release. The file should also be reviewed for other release-related or pending matters, including:
 - 1. Verifying calculations and release-date adjustments for good time.
 - 2. Any pending arrangements for follow-up, such as medications needed, appointments or referral to community or social resources.
- (c) Releasing staff must complete National Crime Information Center (NCIC) and local warrant checks to ensure that there are no outstanding warrants or detention orders.

End of Term Release

If any agency has outstanding charges against the inmate, the staff shall notify the agency that the inmate is available for release.

- (d) If an inmate has known mental health concerns, the inmate shall be evaluated by the mental health staff and medically authorized for release. To the extent reasonably practicable, individuals who have been determined to be severely mentally ill should be released during business hours to facilitate their ability to receive services immediately after release.
- (e) All personal property shall be returned to the inmate during the release process. The inmate must acknowledge receiving his/her property by signed receipt. Any discrepancies shall be promptly reported to the Shift Supervisor.
- (f) All facility property must be returned by the inmate. Any missing or damaged facility property should be documented and promptly reported to the Shift Supervisor. The inmate shall remain in custody until the Shift Supervisor reviews the damage and authorizes the release.
- (g) A forwarding address for the inmate should be on file and verified with the inmate.
- (h) Inmates on probation or parole should be directed by the staff to report to the probation or parole office immediately upon release. The parole authorities having jurisdiction shall be notified of the inmate's release, if required.
- (i) If needed, inmates may be allowed to make a reasonable number of telephone calls to arrange for transportation.
- (j) Arrangements shall be made for completion of any pending action, such as grievances, or claims of damaged or lost possessions.

The housing sheet, release log and daily census log shall be updated accordingly after the inmate's release. The Shift Supervisor shall ensure all release documents are complete and properly signed by the inmate and the staff where required.

511.3.1 DISCHARGE OF INMATES WITH MENTAL ILLNESS OR SUBSTANCE ADDICTION

Inmates who are eligible for release and suffer from mental illness or substance addiction may be offered to stay in the facility for up to 16 additional hours or until normal business hours, whichever is shorter, in order for the inmate to be discharged to a treatment center or be discharged during daylight hours. The inmate may revoke his/her consent and be released as soon as possible and practicable (Penal Code § 4024).

Searches

512.1 PURPOSE AND SCOPE

The purpose of this policy is to provide clear direction on maintaining the safety and security of the facility by conducting searches, in balance with protecting the rights afforded by the United States Constitution.

The introduction of contraband, intoxicants or weapons into the Kings County Sheriff's Office facility poses a serious risk to the safety and security of staff, inmates, volunteers, contractors and the public. Any item that is not available to all inmates may be used as currency by those who possess the item, and will allow those in possession of the item to have control over other inmates. Any item that may be used to disengage a lock, other electronic security devices or the physical plant itself, seriously jeopardizes the safety and security of this facility. Carefully restricting the flow of contraband into the facility can only be achieved by thorough searches of inmates and their environment.

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from an inmate/arrestee.

512.1.1 DEFINITIONS

Definitions related to this policy include:

Contraband - Anything unauthorized for inmates to possess or anything authorized to possess but in an unauthorized quantity.

Modified strip search - A search that requires a person to remove or rearrange some of his/her clothing that does not include a visual inspection of the breasts, buttocks or genitalia of the person but may include a thorough tactile search of an inmate's partially unclothed body. This also includes searching the inmate's clothing once it has been removed.

Pat-down search - The normal type of search used by deputies within this facility to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the deputy, the inmate or other inmates.

Physical body cavity search - A search that includes a visual inspection and may include physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of a person, and the vagina of a female person.

Strip search - A search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia or female breasts are visible to the monitoring employee.

Searches

512.2 POLICY

It is the policy of this office to ensure the safety of staff, inmates and visitors by conducting effective and appropriate searches of inmates, visitors and areas within the facility in accordance with applicable laws (15 CCR 1029(a)(6)).

Searches shall not be used for intimidation, harassment, punishment or retaliation.

512.3 PAT-DOWN SEARCHES

Pat-down searches will be performed on all inmates/arrestees upon entering the secure booking area of the facility. Additionally, pat-down searches should occur frequently within the facility. At a minimum, the staff shall conduct pat-down searches in circumstances that include:

- (a) When inmates leave their housing units to participate in activities elsewhere in the facility (e.g., exercise yard, medical, program, visiting) and when they return.
- (b) When inmates leave their housing units to participate in activities outside of the facility (e.g., court, medical appointment) and when they return.
- (c) During physical plant searches of entire housing units.
- (d) When inmates come into contact with other inmates housed outside of their housing units, such as work details.
- (e) Any time the staff believes the inmates may have contraband on their person.

Except in emergencies, male staff may not pat down female inmates and female staff may not pat down male inmates. Absent the availability of a same sex staff member, it is recommended that a witnessing staff member be present during any pat-down search of an individual of the opposite sex. All cross-gender pat-down searches shall be documented (28 CFR 115.15).

512.4 MODIFIED STRIP SEARCHES, STRIP SEARCHES AND PHYSICAL BODY CAVITY SEARCHES

Deputies will generally consider the reason for the search, the scope, intrusion, manner and location of the search, and will utilize the least invasive search method to meet the need for the search.

512.4.1 STRIP SEARCHES PRIOR TO PLACEMENT IN A HOUSING UNIT

Strip searches prior to placement in a housing unit shall be conducted as follows:

- (a) No person held prior to placement in a housing unit shall be subjected to a modified strip search or strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

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1. The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.
2. Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
3. Custody history (past possession of contraband while in custody, assaults on staff, escape attempts, etc.).
4. The person's actions or demeanor.
5. Criminal history (level of experience in a custody setting, etc.).
- (b) No modified strip search or strip search of an inmate shall be conducted prior to admittance to a housing unit without prior authorization from the Shift Supervisor.
- (c) The staff member conducting the modified strip search or strip search shall:
 1. Document the name and sex of the person subjected to the strip search.
 2. Document the facts that led to the decision to perform a strip search of the inmate.
 3. Document the reasons less intrusive methods of searching were not used or were insufficient.
 4. Document the supervisor's approval.
 5. Document the time, date and location of the search.
 6. Document the names, sex and roles of any staff present.
 7. Itemize in writing all contraband and weapons discovered by the search.
 8. Process all contraband and weapons in accordance with the office's current evidence procedures.
 9. If appropriate, complete a crime report and/or disciplinary report.
 10. Ensure the documentation is placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

512.4.2 STRIP SEARCHES UPON ENTRY INTO A HOUSING UNIT

Strip searches will be conducted on all inmates upon admission into a housing unit.

Arrestees who are eligible for release or who will be released when they are no longer intoxicated will not be placed into a housing unit or have unmonitored or unsupervised contact with previously housed inmates.

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Arrestees who are arranging bail shall be permitted a reasonable period of time, not less than 12 hours, before being placed in a housing unit.

512.4.3 BODY ORIFICE SECURITY SCANNER (B.O.S.S.) PROCEDURES

All newly housed inmate searches will be conducted using a minimum of a pat search and a non-intrusive sensor and scanning device search. Additionally, inmates returning to or leaving housing areas are also subject to a pat search and/or non-intrusive sensor and scanning device search.

(a) Use of the B.O.S.S. should be used by those staff members who have been trained in reference to its operation.

(b) The B.O.S.S. is made operational by connecting the power cord to an AC power outlet. The unit will undergo a brief self-diagnostic routine and then indicate that it is complete when the two green LED lamps illuminate.

(c) Staff should test the B.O.S.S. by holding [REDACTED] for example, approximately three inches above the oral sensor and then four to five inches above the seat sensor to establish the device's sensitivity.

(d) The sensitivity can be adjusted by using the key pad (located in a compartment on the upper right rear of the backrest) type in the 5 digit pass code then hit ENT. Press Marrow down button until you get to SENT%, present. Then type in the sensitivity you want and hit ENT. The sensitivity can be changed from 1 to 99. 1 being the lowest sensitivity and 99 being the highest sensitivity. Note: Setting the sensitivity too high may result in unwanted alarms from dental fillings. The factory settings should be sufficient for use in a correctional setting.

(e) The B.O.S.S. is equipped with two audibly distinctive alarms and separate LED lights for the oral sensor and the chair sensor. These devices will activate when [REDACTED] is detected over the respective locations.

(f) All jewelry and known metallic objects must be removed from the person prior to being scanned.

(g) Metallic restraints must be removed prior to use of the chair sensor. Combative, high profile or otherwise uncooperative inmates shall be restrained with plastic flex-cuffs.

(h) Inmates should be questioned by staff as to the presents of metallic objects in the inmate's body. This can include surgically or otherwise implanted metallic prosthetics or plates.

(i) The person being screened should first momentarily place their chin on, or near, the upper surface of the oral sensor.

(j) If [REDACTED] is detected, the audible alarm and LED light designated for the oral sensor will activate.

(k) After the mouth is scanned, the person should be directed to sit in the chair. The correct seating position is with the base of the back against the backrest.

(l) If [REDACTED] is detected, the audible alarm and LED light designated for the chair sensor will activate.

Searches

* Note: Discretion should be practiced by the Shift Supervisor in the case of felony charges such as check forgery or those not involving violence. This is not intended to limit our ability by law, but to add reasonable discretion by the Shift Supervisor.

512.4.4 MODIFIED STRIP SEARCHES AND STRIP SEARCHES OF INMATES IN A HOUSING UNIT

A strip search of an inmate in a housing unit should be conducted when the inmate has entered an environment where contraband or weapons may be accessed. This includes, but is not limited to, the following:

- (a) Upon return from contact visits
- (b) Upon leaving the kitchen, shop, farm, etc.
- (c) Upon return to the housing unit from outside the confines of the facility (court, work-release, work detail, medical visits)

Inmates returning from court with release orders shall not be subject to strip searches or modified strip searches unless the reasonable suspicion exists based on specific and articulable facts that the person is concealing a weapon or contraband. The inmate should not be returned to the housing unit, except for retrieving his/her personal property under the direct visual supervision of staff.

Staff members may conduct modified strip searches and strip searches of inmates outside the above listed circumstances only with supervisor approval. Staff members and supervisors must make a determination to conduct a strip search by balancing the scope of the particular search, intrusion, the manner in which it is conducted, the justification for initiating it and the place in which it is conducted. Less invasive searches should be used if they would meet the need for the search. For example, a pat-down or modified strip search may be sufficient as an initial effort to locate a larger item, such as a cell phone.

The staff member conducting a modified strip or strip search outside the above listed circumstances shall:

- Document in writing the facts that led to the decision to perform a strip search of the inmate.
- Document the reasons less intrusive methods of searching were not used or were insufficient.
- Document the supervisor's approval.
- Document the time, date and location of the search.
- Document the names of staff present, their sex and their roles.
- Itemize in writing all contraband and weapons discovered by the search.
- Process all contraband and weapons in accordance with the office's current evidence procedures.

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- If appropriate, complete a crime report and/or disciplinary report.
- Ensure the completed documentation is placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

512.4.5 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

All modified strip searches and strip searches shall be conducted in a professional manner under sanitary conditions and in an area of privacy so that the search cannot be observed by persons not participating in the search.

Unless conducted by a qualified health care professional or in case of an emergency, a modified strip search or strip search shall be conducted by staff members of the same sex as the person being searched (Penal Code § 4030). Any cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.15).

Whenever possible, a second staff member of the same sex should be present during the search for security purposes and to witness the discovery of evidence.

The staff member conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched. These areas may be touched through the clothing during a modified strip search.

- (a) The searching staff member will instruct the inmate to:
 1. Remove his/her clothing.
 2. Raise his/her arms above the head and turn 360 degrees.
 3. Bend forward and run his/her hands through his/her hair.
 4. Turn his/her head first to the left and then to the right so the searching deputy can inspect the inmate's ear orifices.
 5. Open his/her mouth and run a finger over the upper and lower gum areas, then raise the tongue so the deputy can inspect the interior of the inmate's mouth. Remove dentures if applicable.
 6. Turn around and raise one foot first, then the other so the deputy can check the bottom of each foot.
 7. For a visual cavity search, turn around, bend forward and spread the buttocks if necessary to view the anus.
- (b) At the completion of the search, the inmate should be instructed to dress in either his/her street clothes or jail-supplied clothing, as appropriate.

512.4.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be completed as follows:

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- (a) No person shall be subjected to a physical body cavity search without the approval of the Jail Commander or the authorized designee and only with the issuance of a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the inmate or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the inmate may conduct the search (15 CCR 1206(o)).
- (c) Except for the physician conducting the search, persons present must be of the same sex as the person being searched. Only the necessary staff needed to maintain the safety and security of the medical personnel shall be present (Penal Code § 4030).
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements are the same as required for a strip search.
- (e) All such searches shall be documented including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the inmate.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The Jail Commander's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date and location of the search.
 - 6. The medical personnel present.
 - 7. The names, sex and roles of any staff present.
 - 8. Any contraband or weapons discovered by the search.
- (f) Completed documentation should be placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.
- (g) All contraband and weapons should be processed in accordance with the office's current evidence procedures.
- (h) If appropriate, the staff member shall complete a crime report and/or disciplinary report.

512.5 TRANSGENDER SEARCHES

Staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining genital status (see Prison Rape Elimination Act Policy for transgender and intersex

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definitions). If genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.15).

512.6 CONTRABAND SEARCHES

The staff shall always be alert to the possible presence of contraband and shall take immediate action to seize the contraband when practicable. There are several types of searches that contribute to contraband control and to maintaining a safe and secure environment.

512.7 HOUSING UNIT SEARCHES

Housing unit searches shall occur as directed by a supervisor. These searches should include all of the living spaces occupied by inmates. Housing unit searches should be scheduled in a manner that does not create a pattern where the inmates can predict such searches. During a housing unit search:

- (a) All inmates shall vacate their living areas and be searched by staff.
- (b) Inmates should be escorted to a separate holding area, such as the recreation yard.
- (c) Staff shall search the living areas of the inmates, including bedding, personal storage areas, bunks and other areas with inmate access.
- (d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.
- (e) The staff shall attempt to identify the inmate who possessed the contraband and file appropriate inmate discipline and/or crime reports.
- (f) Any alcoholic beverage possessed by inmates shall be seized and the appropriate inmate disciplined and/or criminal charges filed.
- (g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

At the conclusion of the housing unit search, closely supervised inmate workers should clean the unit. All authorized inmate personal property shall be respected and living areas should be returned to an orderly condition.

512.8 PHYSICAL PLANT SEARCHES

The following areas of this facility shall be periodically searched for contraband:

- (a) Exercise yards shall be searched for contraband prior to and after each inmate group occupies the yard.
- (b) Holding cells shall be searched prior to and after each inmate occupies the cell.

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- (c) Program areas, such as classrooms and multipurpose rooms shall be searched after each use by an inmate or inmate group.
- (d) Laundry areas shall be searched before and after each inmate group occupies the area.
- (e) Kitchen areas shall be frequently searched for contraband and to account for tools, knives and food items.
- (f) Inmate visiting and public areas shall be frequently inspected for contraband.
- (g) The facility perimeter shall be searched at least once each shift for contraband.

512.8.1 CANINE-ASSISTED SEARCHES

It is the policy of this facility to use canines to assist the staff in searching for contraband. Such searches shall occur only with the approval of a supervisor. Only canines trained in the detection of contraband, such as drugs, alcohol and weapons, will be allowed within the secure perimeter of the facility. Canines trained solely in crowd control or to assist in physically subduing individuals will not be used in the facility.

Canines will generally be used to assist the staff in general physical plant or living area searches. Contact between inmates and canines should be kept to a minimum (see the Canines Policy).

512.9 CRIMINAL EVIDENCE SEARCHES

The Jail Commander or the authorized designee shall be notified, as soon as practicable, any time it is suspected that a crime has been committed in the facility or other area controlled by the facility staff, and there is a need to search for evidence related to the crime.

Any evidence collected in connection with an alleged crime shall be reported, documented and stored to protect it from contamination, loss or tampering, and to establish the appropriate chain of custody. A search for evidence may be conducted by staff whenever there is a need for such action.

512.10 TRAINING

The Training Sergeant shall provide training for staff in how to conduct pat-downs, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs. This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex inmates (28 CFR 115.15).

Control of Inmate Movement

513.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for the safe and secure movement of inmates between areas within the facility and transportation from the facility to court, medical appointments, or other jurisdictions.

513.2 POLICY

The staff should be vigilant in the control and movement of inmates between areas within the facility and when transporting inmates outside the secure confines of the facility (15 CCR 1029(a)(6)). Control may be by direct or indirect visual observation. All staff should consider all inmate movement as a high-risk activity. The staff should be aware of their surroundings at all times and take necessary steps to prevent the possession and exchange of contraband.

513.3 MOVEMENT OF INMATES

Movement of one or more inmates in the facility should be done in an orderly manner with inmates walking in a single-file line. Staff members should have situational awareness during the movement of inmates and should consider the design of the facility, areas of poor visibility, and the presence of other inmates being moved. The staff should avoid areas where inmates may have access to contraband items.

513.4 MOVEMENT OF SPECIAL MANAGEMENT INMATES

Inmates should be restrained during movement based upon individual security classification, with higher risk inmates in handcuffs, waist chains, and leg irons. An exception to this procedure is when an inmate has a physical disability where restraint devices may cause serious injury. Pregnant inmates shall be moved in accordance with the Use of Restraints Policy.

Whenever a high-security inmate is not able to be restrained, the staff should compensate by utilizing wheelchairs and should secure the inmate to the chair. It may also be necessary to increase the number of staff present to ensure the safe movement of high-security inmates.

The staff should be watchful in and around passageways and ensure that sallyport doors are secured to prevent escape.

Use of Restraints

514.1 PURPOSE AND SCOPE

This policy establishes guidelines for the application, supervisory oversight and restrictions on the use of restraints on persons incarcerated in this facility.

This policy shall apply to the use of specific types of restraints, such as four/five-point restraints, restraint chairs, ambulatory restraints and similar restraint systems, as well as all other restraints, including handcuffs, waist chains and leg irons when such restraints are used to restrain any inmate for prolonged periods.

514.1.1 DEFINITIONS

Custody restraints - Includes steel handcuffs and leg restraints, polyurethane or nylon soft restraints, waist restraints and chair restraints, applied to control an inmate who is assaultive, engaging in self-injurious behavior or attempting to damage property.

Clinical restraints - Restraints applied when an inmate's disruptive, assaultive and/or self-injurious behavior is related to a medical or mental illness. Clinical restraints can include a portable restraint chair.

Therapeutic seclusion - Isolation of an agitated, vulnerable and/or severely anxious inmate with a serious mental illness as part of his/her treatment when clinically indicated for preventative therapeutic purposes

514.2 POLICY

It is the policy of this office that restraints shall be used only to prevent self-injury, injury to others or property damage. Restraints may also be applied according to inmate classification, such as maximum security, to control the behavior of a high-risk inmate while he/she is being moved outside the cell or housing unit.

Restraints shall never be used for retaliation or as punishment. Restraints shall not be applied for more time than is necessary to control the inmate. Restraints are to be applied only when less restrictive methods of controlling the dangerous behavior of an inmate have failed or appear likely to fail (15 CCR 1029(a)(4)); 15 CCR 1058). Each incident where restraints are used shall be documented by the handling staff member and placed in the appropriate file prior to the end of the staff member's shift.

This policy does not apply to the temporary use of restraints, such as handcuffing or the use of leg irons to control an inmate during movement and transportation inside or outside the facility.

514.3 USE OF RESTRAINTS - CONTROL

Supervisors shall proactively oversee the use of restraints on any inmate. The use of restraints in some specific situations shall require the approval of a Shift Supervisor prior to application.

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Use of Restraints

Restraint devices, such as restraint chairs, shall only be used on an inmate when it reasonably appears necessary to overcome resistance, prevent escape or bring an incident under control, thereby preventing injury to the inmate or others, or eliminating the possibility of property damage. Restraints shall not be applied for more time than is reasonably necessary to achieve the above goals.

Excluding short-term use to gain immediate control, placing an inmate in a restraint chair or other restraints for extended periods requires approval from the Jail Commander or the shift sergeant prior to taking action. The medical staff shall be called to observe the application of the restraints and to check for adequate circulation.

The use of restraints for purposes other than for the controlled movement or transportation of an inmate shall be documented on appropriate logs to include, at minimum, the type of restraint used, when it was applied, a detailed description of why the restraint was needed and when it was removed (Title 15 CCR § 1058).

The following provisions shall be followed when utilizing restraints to control an inmate:

- (a) Restraints shall not be used as punishment, placed around a person's neck or applied in a way likely to cause undue physical discomfort or restrict blood flow or breathing (e.g., hog-tying).
- (b) Restrained inmates shall not be placed face down or in a position that inhibits breathing.
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure. A person who is being transported shall not be locked in any manner to any part of the transporting vehicle except for items installed for passenger safety, such as seat belts.
- (d) Inmates in restraints shall be housed either alone or in an area designated for restrained inmates.
- (e) Restraints shall be applied for no longer than is reasonably necessary to protect the inmate or others from harm.
- (f) Staff members shall conduct direct face-to-face observation at least twice every 30 minutes to check the inmate's physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the person doing the observation, along with a description of the inmate's behavior. Any actions taken should also be noted in the log.
- (g) The specific reasons for the continued need for restraints shall be reviewed, documented and approved by the Jail Commander or Shift Supervisor at least every two hours.

Use of Restraints

- (h) As soon as possible, but within four hours of placement in restraints, the inmate shall be medically assessed to determine whether he/she has a serious medical condition that is being masked by the aggressive behavior. The medical assessment shall be a face-to-face evaluation by medical staff and shall recur once every six hours of continued restraint thereafter.
- (i) As soon as possible, but within eight hours of placement in restraints, the inmate must be evaluated by a mental health professional to assess whether the inmate needs immediate and/or long-term mental health treatment.

514.4 RANGE OF MOTION

Inmates placed in restraints for longer than two hours should receive a range-of-motion procedure that will allow for the movement of the extremities. Range-of-motion exercise will consist of alternate movement of the extremities (i.e., right arm and left leg) for a minimum of 10 minutes every two hours.

514.5 FOOD AND HYDRATION

Inmates who are confined in restraints shall be given food and fluids. Provisions shall be made to accommodate any toileting needs at least once every two hours. Food shall be provided during normal meal periods. Hydration (water or juices) will be provided no less than once every two hours or when requested by the inmate.

Offering food and hydration to inmates will be documented to include the time, the name of the person offering the food or water/juices, and the inmate's response (receptive, rejected). Inmates shall be provided the opportunity to clean themselves or their clothing while they are in restraints.

514.6 AVAILABILITY OF CARDIOPULMONARY RESUSCITATION EQUIPMENT

Cardiopulmonary resuscitation (CPR) equipment, such as barrier masks, shall be provided by the facility and located in close proximity to the location where inmates in restraints are held.

514.7 RESTRAINED INMATE HOLDING

Restrained inmates should be protected from abuse by other inmates. Under no circumstances will restrained inmates be housed with inmates who are not in restraints. In most instances, restrained inmates are housed alone or in an area designated for restrained inmates (15 CCR 1058).

514.8 PREGNANT INMATES

Restraints will not be used on inmates who are known to be pregnant unless based on an individualized determination that restraints are reasonably necessary for the legitimate safety and security needs of the inmate, the staff or the public. Should restraints be necessary, the restraints shall be the least restrictive available and the most reasonable under the circumstances.

In no event will an inmate who is known to be pregnant be restrained by the use of leg restraints/irons, waist restraints/chains, or handcuffs behind the body (Penal Code § 3407).

Use of Restraints

514.8.1 INMATES IN LABOR

No inmate in labor, delivery or recovery shall be restrained by the use of leg restraints/irons, waist restraints/chains, or handcuffs behind the body (Penal Code § 3407).

No inmate who is in labor, delivery or recovery from a birth shall be otherwise restrained except when all of the following exist (Penal Code § 3407):

- (a) There is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the inmate, the staff of this or the medical facility, other inmates or the public.
- (b) A supervisor has made an individualized determination that such restraints are necessary to prevent escape or injury.
- (c) There is no objection from the treating medical care provider.
- (d) The restraints used are the least restrictive type and are used in the least restrictive manner.

Restraints shall be removed when medical staff responsible for the medical care of the pregnant inmate determines that the removal of restraints is medically necessary (Penal Code § 3407).

The supervisor should, within 10 days, make written findings specifically describing the type of restraints used, the justification and the underlying extraordinary circumstances.

514.9 RESTRAINT CHAIR

It is the policy of the Kings County Sheriff's Office that inmates shall only be placed into the Emergency Restraint Chair (ERC) when it appears that less restrictive procedures would be ineffective in controlling the violent behavior or in a preemptive maneuver to restrain inmates who have a high violence potential to themselves or others, or who are a high security movement. In no case shall the ERC be utilized as means of punishment. Additionally, inmates shall only be placed into the ERC as described in this policy, in accordance with Title 15, sections 1029 and 1058.

514.9.1 DEFINITION

EMERGENCY RESTRAINT CHAIR- Is a specifically manufactured metal and ABS plastic chair. It is equipped with ultra-tough shoulder, ankle and wrist restraint belts that are constructed of Nylon 66 twill webbing and CAM buckles capable of securing a person to the chair in such a fashion as to limit their ability to move.

514.9.2 USE OF THE EMERGENCY RESTRAINT CHAIR

Inmates shall only be placed into the ERC under the following conditions and with the prior approval of the Watch Sergeant.

(A) Inmates who display behavior which results in the destruction of property or who reveal intent to cause physical harm to themselves or others.

Use of Restraints

(B) Inmates who are extremely combative and/or where a cell extraction team has been used to restrain the inmate. The ERC may be used to transport the inmate out of the affected area to another location.

(C) The ERC may be used in a preemptive maneuver to restrain inmates who have a high violence potential or who are a high security risk during movement.

If no Watch Sergeant is available then the Facility Commander needs to be contacted for placement approval.

514.9.3 EMERGENCY RESTRAINT CHAIR PRE-RESTRAINTS

The inmate should be handcuffed to the rear and wearing leg irons/shackles prior to placing them into the ERC.

514.9.4 PLACEMENT INTO THE EMERGENCY RESTRAINT CHAIR

(1) A Supervisor and a minimum of three deputies shall be present and assist with placement of an inmate into the ERC. Maintain officer safety. Be cognizant of attempts by the inmate to head butt, spit, bite, or kick jail staff. A spit mask may be used while initially securing the inmate and when it is necessary for staff to be in close physical proximity of the inmate, but must be removed once inmate is secured and placed in the desired holding cell.

(2) Whenever possible, inmates will be clothed when placed into the ERC. If this is not possible, a safety cell garment or jail-issued sheet or blanket shall be utilized to cover the inmate.

(3) The inmate shall be backed up to the ERC with one deputy on either side. The inmate shall be directed to step onto the metal plate base of the ERC. The two deputies on each side of the inmate shall assist the inmate into the ERC. Help support the inmate, usually by the elbows and shoulders, and lower the inmate into the ERC by verbally directing them to sit down. If necessary, departmentally approved control techniques and reasonable force may be used to sit the inmate into the ERC. Once seated, secure the handcuff tether to the handcuffs. Secure the lap belt free end in the lap belt clevis, and pull the handle until snug.

(4) The third deputy shall stand in front of the inmate and step on the chain of the leg iron/shackles to hold the inmate's feet down and reduce the likelihood of injury to the staff from kicks. Place the chain of the leg iron/shackle behind the chain retainer.

514.9.5 SECURING PROCEDURE

The following procedure is provided as a guideline for securing an inmate into the ERC. The procedure may be performed in any order as deemed appropriate for the situation.

(1) Release the right wrist from the handcuff and secure it to the arm of the ERC with the right wrist strap and pull the belt snug. Make sure that the palm of the hand is flat on the ERC.

(2) Release the left wrist from the handcuff and secure it to the arm of the ERC with the left wrist strap and pull the belt snug. Make sure that the palm of the hand is flat on the ERC.

(3) Remove the handcuffs from the tether and retighten the lap belt if necessary.

Use of Restraints

(4) Fasten the shoulder strap by passing the free ends over the shoulders, under the armpits, and secure them to the shoulder strap clevises located on the back of the chair. Tighten the straps by pulling down on the shoulder strap handle. **DO NOT WRAP THE STRAPS AROUND THE CHEST, HEAD OR NECK.**

(5) Secure the right ankle strap by passing the free end around the front of the ankle and securing it to the ankle strap clevis. Pull the ankle strap handle until snug.

(6) Secure the left ankle strap by passing the free end around the front of the ankle and securing it to the ankle strap clevis. Pull the ankle strap handle until snug.

(7) Remove the leg irons/shackles.

(8) Once secured, transport the inmate to the desired isolated holding cell. Inmates in restraints shall not be placed into a cell with other inmates.

(9) A medical opinion on placement and retention shall be secured immediately upon placement. Medical staff shall make a medical assessment to include obtaining vitals, and shall check all restraint belts to ensure the inmate has proper circulation. After the initial assessment, vitals will be checked by medical staff every 30 minutes. Each medical encounter will be documented. The inmate should be evaluated for suspected drug use and treated appropriately if drug use is suspected.

514.9.6 JAIL STAFF RESPONSIBILITY

At no time shall any restraint device be utilized in such a way as to intentionally inflict pain or punishment, or be used as a substitute for treatment.

(1) Jail staff shall monitor restrained inmates and immediately remove the restraints and notify medical staff if the inmate displays any of the following symptoms:

- a. Difficulty breathing and/or shortness of breath
- b. Unconsciousness or unresponsiveness
- c. Vomiting
- d. Choking
- e. Discoloration
- f. Swelling of extremities

514.9.7 RANGE OF MOTION EXERCISE AND TEMPORARY MOBILITY

(1) Staff shall allow the inmate to exercise their extremities in range of motion exercises for a minimum of ten minutes every two hours.

- a. Extend the strap of the ankles and wrists (one at a time).

Use of Restraints

(2) At the time the range of motion exercises are performed, the inmate shall be offered a cup of water. A styrofoam cup may be used for this purpose.

(3) Upon their request, an inmate in the ERC shall be provided with temporary mobility for the following purposes:

a. Personal hygiene and sanitation. Upon request of the inmate, they shall be given the opportunity to eliminate body waste with an appropriate reduction of restraints. If the actions or behavior of the inmate poses a threat to their safety or that of others, then the opportunity may be denied until it is determined by a Watch Sergeant to be safe to do so.

b. Meal distribution

(4) Sufficient staff shall be present to safely control the inmate anytime restraints are removed, as determined by the Watch Sergeant.

514.9.8 EMERGENCY RESTRAINT CHAIR REMOVAL

(1) Inmates should be kept in restraints for the least amount of time necessary to handle each particular situation. The inmate shall be released from the restraints as soon as their behavior and safety considerations allow it.

a. Each time an officer checks the inmate, they shall determine if the inmate's behavior is such that the inmate can be removed from the restraints.

b. If an officer believes an inmate is capable of being released from restraints, they shall contact the shift supervisor who shall evaluate the inmate for release.

c. Mental health consultation may be secured prior to the inmate's removal from the Emergency Restraint Chair.

(2) The Shift Supervisor shall be responsible to review the inmate's continued retention in the ERC every 30 minutes. The Shift Supervisor shall interact with the inmate and make a determination whether continued retention is necessary. If continued retention is deemed necessary, the circumstances shall be documented by the Shift Supervisor.

(3) Staff must allow the inmate to exercise their extremities (one at a time) in range of motion exercises for a minimum of ten (10) minutes every two hours.

(4) No inmate shall remain in the ERC longer than two continuous hours without approval from a facility manager. If the facility manager, in consultation with responsible health care staff determines that an inmate cannot be safely removed from restraints after two hours, range of motion exercises will be conducted. A determination will be made by the facility manager whether continuous retention is warranted or if the inmate shall be taken to a medical facility for further evaluation. No inmate shall remain in the ERC longer than four continuous hours.

(5) An inmate may be removed from the ERC only under the direction of the shift supervisor (or higher authority).

Use of Restraints

(6) To loosen lap and wrist straps, insert a standard handcuff key into the CAM buckle and push in while pulling slack on the straps.

(7) Medical staff shall check the inmate for injuries following their removal from the Emergency Restraint Chair.

(8) After each use, all buckles and straps on the ERC shall be cleaned with antibacterial solution and returned to the "ready" position.

514.9.9 DOCUMENTATION

(1) The Emergency Restraint Chair shall not be utilized without prior approval from the Shift Sergeant or Facility Commander.

(2) A Shift Supervisor or higher authority shall be present and directly supervise the placement of an inmate into the ERC.

(3) An incident report shall be completed by the officer who initiated the placement of an inmate into the ERC. This report shall include, but not be limited to the following:

- a. Reason for the placement into the ERC (detailing the location, behavior and/or circumstances).
- b. Staff members involved, including medical staff.
- c. Watch Sergeant or Facility Commander who approved the placement.

(4) The inmate shall be visually checked and the checks documented on the Restraint Chair Log a minimum of every 15 minutes. Inmates shall be offered water at each check. A styrofoam cup will be used for this purpose. The appropriate notations shall be entered on every occasion (e.g., restraints checked, restraints reduced for temporary mobility, water accepted or refused by inmate, sitting in chair yelling, etc.)

(5) A supplemental incident report shall be completed by the Shift Supervisor documenting the removal of the inmate from the Emergency Restraint Chair. This report shall include, but not be limited to the following:

- a. Reason for the removal from the ERC (detailing the location, behavior and/or circumstances).
- b. The date and time the inmate was removed from the chair, along with the time the range of motion exercises were performed.
- c. Staff members involved, including medical staff.
- d. Watch Supervisor who approved the removal.

Management of Weapons and Control Devices

515.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons.

515.2 POLICY

It is the policy of the Kings County Sheriff's Office that the presence and the use of weapons in the jail will be tightly controlled and supervised to reduce the potential for injury. Staff will only carry and use those weapons for which they have been trained in and are qualified to use.

515.3 FIREARMS

With the exception described below, armed personnel shall secure all firearms in [REDACTED] [REDACTED] prior to entering the secure perimeter. Firearms shall not be stored inside the secure perimeter at any time. If it is necessary to load or unload a firearm, personnel shall use the clearing barrels located outside of the facility's secure perimeter to facilitate the safe loading and unloading of firearms.

Firearms shall only be allowed in the secure perimeter of the facility when it is necessary to protect the safety and security of staff, inmates, contractors, volunteers or the public.

Firearms shall only be allowed inside the secure perimeter with the approval of the Jail Commander or authorized designee and under the direct supervision of a supervisor.

515.3.1 FIREARMS

With the exception as described below, armed personnel shall secure all firearms in [REDACTED] [REDACTED] prior to entering the secure perimeter. Firearms shall not be stored inside the secure perimeter at any time.

Firearms shall only be allowed in the secure perimeter of the facility when it is necessary to protect the safety and security of staff, inmates, contractors, volunteers or the public. Firearms shall only be allowed inside the secure perimeter with the approval of the Jail Commander, Assistant Sheriff or Sheriff and under the direct supervision of a supervisor.

515.3.2 CHEMICAL AGENTS

Chemical agents shall only be used in the facility as authorized by the Jail Commander or the authorized designee. The use of chemical agents can minimize the potential for injury to deputies, inmates or other persons and should only be used in situations where such force reasonably appears justified and necessary in accordance with the Use of Force policy. Oleoresin capsicum (OC) should not be used in the medical unit or other designated areas where inmates are assigned to respiratory isolation.

Office-approved OC sprays or foam may only be possessed and used only by staff members who have received office-authorized training in its use.

Management of Weapons and Control Devices

Persons who have been affected by the use of chemical agents should be promptly provided with the proper solution to decontaminate the affected areas. Those persons who complain of severe effects shall be afforded a medical examination by medical personnel.

515.3.3 IMPACT WEAPONS

Impact or striking weapons, such as batons, shall be possessed by staff inside the facility.

The need to immediately incapacitate the inmate must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the deputy reasonably believes the inmate may cause serious bodily injury or death to the deputy or others.

515.3.4 KINETIC ENERGY PROJECTILES

Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury. Certain munitions can be used in an attempt to de-escalate a potentially deadly situation because of their reduced potential for death or serious physical injury.

Projectile firing weapons, such as the 35mm rubber baton and the bean bag shotgun, shall only be possessed and used by staff who have been trained in the use of these weapons and designated by the Jail Commander.

515.3.5 ELECTRONIC CONTROL DEVICES (ECD)

The handheld TASER® device may only be carried by personnel who have completed office-approved training and have been authorized by the Jail Commander. The TASER device may only be used in accordance with the office use of force and TASER device policies.

515.3.6 PEPPER PROJECTILE SYSTEMS

Pepper projectile systems are plastic spheres filled with a derivative of OC powder. A compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact, releasing the OC powder. Although classified as a non-lethal weapon, the potential exists for the projectiles to inflict injury when they strike the head, neck, spine and groin. Therefore, personnel deploying the pepper projectile system should not intentionally target those areas except when the deputy reasonably believes the inmate may cause serious bodily injury or death to the deputy or others. The use of the pepper projectile system is subject to the following requirements:

- (a) Deputies encountering a situation that requires the use of the pepper projectile system shall notify a supervisor as soon as practicable. The supervisor shall respond to all such deployments. The supervisor shall make all notifications and reports as required by the Use of Force Policy.
- (b) Only office-trained personnel and those designated by the Jail Commander will be allowed to possess and deploy the pepper projectile systems.
- (c) Each deployment of a pepper projectile system, except for non-incident deployments such as training, accidental discharges or product demonstrations, shall be documented and, if reasonably practicable, recorded on video. This includes situations

Management of Weapons and Control Devices

where the launcher was directed toward the inmate, regardless of whether the launcher was used. Only non-incident deployments are exempt from the evaluation form requirement (e.g., training, product demonstrations).

515.3.7 STUN MUNITIONS AND RUBBER BALL GRENADES

Stun munitions or rubber ball grenades may only be utilized by S.E.R.T. and with Commanders approval. Consideration should be given to the use of these devices as they relate to the tight confines of a jail setting.

515.4 OTHER WEAPONS, TOOLS AND CHEMICAL AGENTS

Office-approved weapons, tools and chemical agents, including, but not limited to, pepper projectiles, batons, TASER devices, impact weapons, weapon-fired projectiles, noise/flash distraction devices, sting grenades and similar devices, may be possessed and used only by custody staff members who have received office-authorized training and are qualified to use them.

Office-approved weapons, tools and chemical agents shall only be allowed inside the secure perimeter with the approval of the Jail Commander or the authorized designee.

515.4.1 WEAPONS LOCKER

There are secure weapons lockers located [REDACTED] [REDACTED].

515.4.2 INVENTORY

All weapons and control devices stored in the armory shall be inventoried monthly by the SERT Team Supervisor. To facilitate the inventory, all weapons and control devices shall be stored in assigned locations inside the armory. A log sheet shall be maintained within the armory at all times, detailing the exact location of each item. The removal of any weapon or control device shall be documented on the log sheet, showing who removed the item, the date and time of removal and the reason for removal. An additional log entry shall be made indicating the date and time of the item's return.

The Shift Supervisor and the Jail Commander shall be immediately notified in the event that any weapon or control device is determined to be missing. An immediate and thorough search of the facility shall take place in order to locate the item.

515.4.3 REVIEW, INSPECTION AND APPROVAL

Every control device will be periodically inspected for serviceability and expiration dates by the Rangemaster or the designated instructor for a particular control device. The Rangemaster or the designated instructor is responsible to ensure replacement of outdated or unserviceable items.

515.5 STORAGE OF WEAPONS, CHEMICAL AGENTS AND CONTROL DEVICES

The armory shall be located in a secure and readily accessible repository outside of inmate housing and activity areas. It shall be secured at all times. Access to the armory shall be limited to the Jail Commander and the Shift Supervisor or the authorized designee. Only personnel who

Management of Weapons and Control Devices

have received office-approved training in the maintenance of the stored equipment and who have been designated by the Jail Commander are authorized to be inside the armory.

The following equipment shall be stored and secured in the armory:

- (a) All office-approved weapons
- (b) All office-approved control devices and associated supplies, with the exception of the TASER device
- (c) All security equipment, such as helmets, face shields, stab or protective vests and handheld shields
- (d) All office-approved chemical agents

Explosive materials will be stored in a safe approved by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and in compliance with 27 CFR 555.201 et seq.

515.5.1 WEAPONS LOCKER

There should be a secure weapons locker located [REDACTED].

515.5.2 INVENTORY

The Jail Commander should designate one or more properly trained staff to be responsible for maintaining all weapons, chemical agents and control devices in a safe and secure manner, and to inventory and report the condition and availability of the facility's weapons and control devices on a monthly basis.

To facilitate the inventory, all weapons, chemical agents and control devices shall be stored in assigned locations inside the armory. A log sheet shall be maintained within the armory at all times, detailing the exact location of each item. The removal of any weapon, chemical agent or control device shall be documented on the log sheet, showing who removed the item, the date and time of removal and the reason for removal. An additional log entry shall be made indicating the date and time of the item's return.

The Shift Supervisor and the Jail Commander shall be immediately notified in the event that any weapon, chemical agent or control device is determined to be missing. An immediate and thorough search of the facility shall take place in order to locate the item.

515.5.3 REVIEW, INSPECTION AND APPROVAL

Every control device and chemical agent will be periodically inspected for serviceability and expiration dates by the Rangemaster or the instructor designated to train on the use of a particular control device or chemical agent. The Rangemaster or the designated instructor is responsible to ensure replacement of outdated or unserviceable items.

Conducted Energy Device

516.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the TASER® device.

516.2 POLICY

The TASER device is intended to control a violent or potentially violent inmate, while minimizing the risk of serious injury. It is anticipated that the appropriate use of such a device should result in fewer serious injuries to custody staff and inmates.

Staff members who have completed office-approved training may be issued a TASER device for use during the current assignment. Staff members who have been issued a TASER device shall only use the device consistent with this policy and the Use of Force Policy.

Staff shall only use the TASER device and cartridges that have been issued by the Office. The device may be carried as part of a uniformed deputy's equipment.

- (a) The TASER device shall be maintained in a secure storage location [REDACTED] (see Management of Weapons and Control Devices policy).
- (b) Each TASER device shall be clearly and uniquely numbered.
- (c) Upon arriving for work, deputies shall get equipped with a taser.
- (d) Upon finishing the shift, each deputy shall turn in the device to the approved secure storage area.
- (e) At the beginning of each shift, the oncoming Shift Supervisor shall inventory all TASER devices.
- (f) Whenever practicable, deputies should carry a total of two TASER device cartridges on their person at all times when carrying a TASER device.
- (g) Deputies shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order at all times. Deputies carrying a TASER device should perform a spark test on the unit prior to every shift.
- (h) Deputies should not hold both a firearm and the TASER device at the same time.

516.3 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the inmate with a reasonable opportunity to voluntarily comply.
- (b) Provide other deputies and inmates with a warning that a TASER device may be deployed.

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If, after a verbal warning, an inmate is unwilling to voluntarily comply with a deputy's lawful orders and it appears both reasonable and feasible under the circumstances, the deputy may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device) or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal and/or other warning was given or the reasons it was not given shall be documented by the deputy deploying the device in the related report.

516.4 USE OF THE TASER DEVICE

As with any correctional equipment, the TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device.

Although the TASER device is generally effective in controlling most individuals, deputies should be aware that the device may not achieve the intended results and be prepared with other options.

516.4.1 APPLICATION OF THE TASER DEVICE

Authorized personnel may use the TASER device when circumstances perceived by the deputy at the time indicate that such application is reasonably necessary to control an inmate in any of the following circumstances:

- (a) The inmate is violent or is physically resisting.
- (b) The inmate has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to have the potential to harm deputies, him/herself or others.

516.4.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the deputy, the subject or others, and the deputy reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Inmates who are known to be pregnant.
- (b) Elderly inmates.
- (c) Inmates with obviously low body mass.
- (d) Inmates who are handcuffed or otherwise restrained.
- (e) Inmates who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Inmates whose position or activity may result in collateral injury (e.g., falls from height).

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Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be

[REDACTED]

[REDACTED]

[REDACTED].

The TASER device shall not be used to torture, psychologically torment, elicit statements or to punish any inmate.

516.4.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid intentionally targeting the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the deputy to limit the application of the TASER device probes to a precise target area, deputies should monitor the condition of the inmate if one or more probes strikes the head, neck, chest or groin until the inmate is released to the care of qualified medical personnel.

516.4.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Deputies should apply a TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the deputy reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an inmate and if circumstances allow, the deputy should consider certain factors before additional applications of the device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the inmate has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective

Deputies should generally not intentionally apply more than one TASER device at a time against a single subject.

516.4.5 DOCUMENTATION

All TASER device discharges shall be documented in the related incident report and on the TASER device report form. Notification shall be made to a supervisor in compliance with the office Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing of a TASER device will also be documented on the TASER device report form. Any report documenting the discharge of a TASER device cartridge will include the cartridge serial number and an explanation of the circumstances surrounding the discharge.

The onboard TASER device memory will be downloaded through the data port by a supervisor or Rangemaster and saved with the related incident report. Photographs of probe sites should be

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taken, confetti tags should be collected and the expended cartridge along with both probes and wire should be submitted into evidence for future reference by the deputy collecting the cartridge. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "biohazard" if the probes penetrated the inmate's skin.

The deputy should include the following in the arrest/crime report:

- (a) Identification of all personnel firing TASER devices.
- (b) Identification of all witnesses.
- (c) Medical care provided to the inmate.
- (d) Observations of the inmate's physical and physiological actions.
- (e) Any known or suspected drug use, intoxication or other medical problems.

The office should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Sergeant should also conduct audits of data downloads and reconcile TASER device report forms with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

516.4.6 TASER® CAM™

The TASER is equipped with TASER Cam, which is an audio-video recording device integrated into the power supply. The TASER Cam is activated anytime the safety is in the off position. The safety should not be in the off position unless the deputy intends to use the device and the guidelines established in this policy are met. Anytime the TASER Cam is activated, the video and audio data should be downloaded in accordance with office evidence procedures and referenced in any related report. All video and audio not booked as evidence will be retained for the period required by established records retention schedules.

516.5 MEDICAL TREATMENT

Absent extenuating circumstances or unavailability, only qualified medical personnel should remove TASER device probes from an inmate's body. Used TASER device probes shall be considered a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken accordingly.

All inmates who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to continued processing or housing. Additionally, any inmate who falls under any of the following categories should, as soon as practicable, be examined by qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.

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- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face and neck).
- (e) The person requests medical treatment.

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple deputies to be brought under control, may be at an increased risk of sudden death and should be examined by qualified medical personnel as soon as practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared.

Any inmate exhibiting signs of distress or who is exposed to multiple or prolonged applications (e.g., more than 15 seconds) shall be promptly examined by qualified medical personnel or medically evaluated.

If any individual refuses medical attention, such a refusal should be witnessed by another deputy and/or medical personnel and shall be fully documented in related reports.

If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

516.6 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial office-approved training. Any personnel who have not carried a TASER device as a part of their assignment for a period of six months or more shall be recertified by the office-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of a deputy's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Sergeant. All training and proficiency for TASER devices will be documented in the deputy's training file.

Command staff and supervisors should receive TASER device training as appropriate for the investigations they conduct and review.

Deputies who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with deputies who use the device.

The Training Sergeant is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Training Sergeant should ensure that all training includes:

- (a) A review of this policy.

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- (b) A review of the Use of Force Policy.
- (c) Target area considerations, including techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (d) Handcuffing a subject during the application of a TASER device and transitioning to other force options.
- (e) Restraint techniques that do not impair respiration following the application of a TASER device.
- (f) De-escalation techniques.

516.6.1 TESTING

All training delivered to the staff should include testing to document that the employee understands the subject matter presented.

Use of Force

517.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines governing application of force, limitations on the use of force, supervisor's responsibilities, and reporting requirements for incidents involving the application of force (15 CCR 1029(a)(3)).

517.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Any application of force that is reasonably anticipated and intended to create a substantial likelihood of death or very serious injury.

Excessive force - The use of more force than is objectively reasonable under the circumstances to accomplish a lawful purpose.

Use of force - Any application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when the inmate allows him/herself to be searched, escorted, handcuffed or restrained.

Use of force team technique - The use of force team technique ordinarily involves trained staff clothed in protective gear, who enter the inmate's area in tandem, each with a specific task, to achieve immediate control of the inmate.

517.2 POLICY

It is the policy of this office to accomplish the department functions with minimal reliance on the use of force and generally as the last alternative.

517.3 USE OF FORCE

Authorized members may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Members must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the inmate, to protect and ensure the safety of inmates, staff, and others, to prevent serious property damage, prevent escape, obtain compliance with facility rules and staff orders, and to ensure the institution's security and good order or for other lawful purposes.

The Office has provided a number of tools, weapons, and training on techniques to use when responding to resistance and violent encounters. While various degrees of force exist, each member is expected to use only that degree of force that is reasonable under the circumstances to successfully accomplish the legitimate and lawful purpose in accordance with this policy.

It is recognized, however, that circumstances may arise in which staff may reasonably believe it would be impractical or ineffective to use any of the standard tools, weapons, or methods provided by the Office. Staff members may find it more effective or practical to improvise their response to rapidly unfolding conditions they are confronting. In such circumstances, the use of any improvised

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device or method must nonetheless be objectively reasonable and utilized only to the degree reasonably necessary to accomplish a legitimate penological purpose.

In any review of an incident to determine whether a particular use of force conforms to this policy, the Office will evaluate the apparent need for an application of force, the relationship between that need and the amount of force used, the threat reasonably perceived, any efforts made to temper the severity of a forceful response and the extent of any injury to the inmate.

Prior to resorting to the use of force, staff should, when practicable, attempt verbal persuasion, orders or other tactics to avoid or mitigate the need for forceful action.

Force shall never be used as punishment or retaliation.

Medical checks will be performed on all inmates who have been subjected to force as soon as practicable, regardless of apparent injury.

Nothing in this policy is intended to require that force options be used in a particular order. However, the force option used must be objectively reasonable under the circumstances to accomplish a lawful objective.

517.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a member has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to members or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the member at the time.
- (c) Member/inmate factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of members available vs. inmates).
- (d) The effects of drugs or alcohol.
- (e) Inmate's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the inmate has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) The seriousness of the suspected offense or reason for contact with the inmate.
- (j) Training and experience of the member.
- (k) Potential for injury to members, inmates and others.
- (l) Whether the inmate appears to be resisting or is attacking the member.
- (m) The risk and reasonably foreseeable consequences of escape.

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- (n) The apparent need for immediate control of the inmate or a prompt resolution of the situation to maintain or restore order.
- (o) Whether the conduct of the inmate being confronted no longer reasonably appears to pose an imminent threat to the member or others.
- (p) Awareness of the inmate's propensity for violence.
- (q) Any other exigent circumstances.

517.3.2 DUTY TO INTERCEDE

Any member present and observing another staff member using force that is clearly not within this policy is expected, when reasonable to do so, to intercede to prevent the use of such force and in all cases report the use promptly to a supervisor.

517.4 USE OF OTHER WEAPONS, TOOLS AND CHEMICAL AGENTS

517.4.1 AUTHORIZED SECONDARY WEAPONS

(1) The following is a list of secondary weapons that are authorized within the jails.

- (a) Oleoresin Capsicum (O.C.) Defense Technology (3.0 oz. or 12.0 oz.)
- (b) Pepper Ball System
- (c) Mid Range Baton
- (d) Expandable Batons (to include models ASP, Winchester and Monadnock sizes 21, 26 or 31 inch)
- (e) Long/Riot Baton (S.E.R.T personnel only)
- (f) Yawara
- (g) Nunchucks (S.E.R.T personnel only)
- (h) X26 Taser
- (i) 37/40 mm Launcher or Multi Launcher (S.E.R.T, Sergeants, Senior Deputies and trained floor staff).

1. Main jail- [REDACTED]

2. Branch jail- [REDACTED]

3. Staff will not utilize the launcher without authorization from the shift supervisor.

(2) Training is mandatory by a department approved certified instructor for all weapons mentioned above.

- (a) All Detention personnel will be trained on sections a thru d and section h.
- (b) S.E.R.T will be trained on all sections mentioned above or as needed.

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(c) Seniors and above will also be trained on section i.

(3) Only those who are certified through a departmentally approved course will utilize or carry secondary weapons.

(4) Any secondary weapon not mentioned above may not be carried without the approval of the Sheriff, Assistant Sheriff, jail manager or their designee.

517.4.2 NOISE/FLASH DISTRACTION DEVICES

Noise/flash distraction devices, sting grenades, chemical grenades and similar devices shall be used only at the direction of a supervisor and only by staff who have been trained in and are qualified for the use of the devices.

517.4.3 ELECTRONIC CONTROL DEVICES

The use of TASER® devices shall be in accordance with the office Conducted Energy Device Policy.

Other electronic control devices, such as stun cuffs and stun belts, shall only be used when it appears reasonably necessary to control an inmate who poses a serious threat to safety or security, and only with the approval of a supervisor. These devices shall not be used to punish or torment. Only office-trained personnel authorized by the Jail Commander shall deploy and use these devices.

Prior judicial approval should be obtained for any use of stun belts in court holding facilities if the device will be worn in the courtroom or will be visible to a jury.

517.4.4 CHEMICAL AGENTS

Chemical agents shall only be used in the facility as authorized by the Jail Commander or the authorized designee. Oleoresin capsicum (OC) spray should not be used in the medical unit or other designated areas where inmates are assigned to respiratory isolation or on any inmate who is under control with or without restraints.

Office-approved OC spray or foam may be possessed and used only by staff members who have received office-authorized training in its use.

Inmates who have been affected by the use of chemical agents shall be promptly provided with the proper solution to decontaminate the affected areas. Those inmates who complain of severe effects shall be examined by a qualified health care professional.

If the inmate refuses to decontaminate, such a refusal shall be documented. If an inmate has been exposed in a cell and not removed from the cell where the exposure occurred, in-cell decontamination shall be afforded to the inmate, including:

- (a) Health-trained custody staff advising the inmate how to decontaminate in the cell.
- (b) Clean clothing if the inmate's clothing was contaminated.
- (c) Monitoring of the in-cell inmate at least every 15 minutes, for a period of not less than 45 minutes, by health-trained custody staff.

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517.4.5 PROJECTILE CHEMICAL AGENTS

Pepper projectile systems are plastic spheres filled with a derivative of OC powder. A compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact, releasing the OC powder. Although classified as a non-lethal weapon, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel deploying the pepper projectile system should not intentionally target those areas except when the member reasonably believes the inmate may cause serious bodily injury or death to the member or others. The use of the pepper projectile system is subject to the following requirements:

- (a) Office-approved projectile chemical agents may only be used by staff members who have received office-authorized training in their use.
- (b) Members encountering a situation that requires the use of the pepper projectile system shall notify a supervisor as soon as practicable. The supervisor shall respond to all such deployments. The supervisor shall ensure that all notifications and reports are completed as required by this policy.
- (c) Each deployment of a pepper projectile system shall be documented and, if reasonably practicable, recorded on video. This includes situations where the launcher was directed toward the inmate, regardless of whether the launcher was used. Only non-incident deployments are exempt from the reporting requirement (e.g., training, product demonstrations).

517.4.6 IMPACT WEAPONS

The need to immediately incapacitate the inmate must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted with an impact weapon, except when the member reasonably believes the inmate may cause serious bodily injury or death to the member or others.

517.4.7 KINETIC ENERGY PROJECTILES

Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used by a trained and qualified member in an attempt to de-escalate a potentially deadly situation.

517.5 IMMEDIATE AND CALCULATED USE OF FORCE

An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by staff to stop an inmate from inflicting life-threatening injuries to him/herself or to stop an assault on any other person, including other inmates.

The destruction of government property may require the immediate use of force by staff in some circumstances. A verbal warning should be given before an immediate use of force unless the circumstances preclude it.

If there is no need for immediate action, staff should attempt to resolve the situation through voluntary compliance or, if it reasonably appears necessary, the calculated use of force. A calculated use of force is called for when an inmate's presence or conduct poses a threat to safety

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or security and the inmate is located in an area that can be controlled or isolated, or when time and circumstances permit advance planning, staffing and organization.

The assistance of non-custody staff (e.g., psychologists, counselors) should be considered when attempting to resolve a situation without confrontation.

A supervisor shall be present in any situation involving the calculated use of force. The supervisor shall notify the Shift Supervisor for approval and consultation prior to any calculated use of force action.

517.5.1 CONFRONTATION AVOIDANCE PROCEDURES

Prior to any calculated use of force, the supervisor shall confer with the appropriate persons to gather pertinent information about the inmate and the immediate situation. Based on the supervisor's assessment of the available information, he/she should direct staff to attempt to obtain the inmate's voluntary cooperation and consider other available options before determining whether force is necessary.

The supervisor should consider including the following persons and resources in the process:

- (a) Mental health specialist
- (b) Qualified health care professional
- (c) Chaplain
- (d) Office Records Division
- (e) Any other relevant resources

Regardless of whether discussions with any of the above resources are accomplished by telephone or in person, the purpose is to gather information to assist in developing a plan of action, such as the inmate's medical/mental history (e.g., hypoglycemia, diabetes), any recent incident reports or situations that may be contributing to the inmate's present condition (e.g., pending criminal prosecution or sentencing, recent death of a loved one, divorce). The assessment should include discussions with staff members who are familiar with the inmate's background or present status. This may provide insight into the cause of the inmate's immediate agitation. It also may identify other staff who have a rapport with the inmate and could possibly resolve the incident peacefully, without the use of force.

If force is determined necessary and other means of gaining control of an inmate are deemed inappropriate or ineffective, then the use of force team technique should be used to control the inmate and to apply restraints, if required.

Consideration should also be given to preventing exposure to communicable diseases in calculated use of force situations and to ensuring that medical services personnel are available.

517.6 REPORTING THE USE OF FORCE

Every staff use of force is an incident that shall be reported on the appropriate report form. Any staff member who uses force and any staff directly observing the incident shall make a verbal

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report to a supervisor as soon as practicable and shall submit the appropriate documentation prior to going off-duty, unless directed otherwise by a supervisor.

The documentation will reflect the actions and responses of each staff member participating in the incident, as witnessed by the reporting staff member.

The report should include:

- (a) A clear, detailed description of the incident, including any application of weapons or restraints.
- (b) The identity of all involved in the incident (e.g. inmates, staff and others).
- (c) The specific reasons for the application of force.
- (d) The threat as perceived by the staff involved.
- (e) Efforts were made to temper the severity of a forceful response, and if there were none, the reasons why.
- (f) Description of any injuries to anyone involved in the incident, including the result of any medical checks that show the presence or absence of injury.

A video recording is required for all calculated use of force incidents and should include the introduction of all staff participating in the process. The recording and documentation will be part of the investigation package. The supervisor should ensure the recording is properly processed for retention and a copy is forwarded with the report to the Jail Commander within three working days.

The supervisor responsible for gathering the reports may allow a reasonable delay in preparation of a report in consideration of immediate psychological and/or physical condition of the involved member.

517.7 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported use of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved members. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) In cases involving the use of deadly force or when serious injury has resulted, obtain an oral statement from the member. The statement should be restricted to concerns of anything that may present an ongoing threat to the security of the facility or public safety.
- (c) Take appropriate measures to address public safety concerns, document the essence of the oral statements in writing and submit it to the Shift Supervisor.
- (d) Ensure that the appropriate investigation authority is notified, if needed.
- (e) Ensure that any parties involved in a use of force situation are examined by medical staff, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.

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- (f) Separately obtain a recorded interview with all inmates upon whom force was used. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the supervisor should ensure the following in the event a report is submitted to a prosecuting authority:
 - 1. The fact that a recorded interview was conducted by a supervisor and retained for the use of force review should be clearly documented.
 - 2. The content of the interview should not be summarized or included in any related reports submitted to the prosecuting authority.
- (g) The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (h) Once any initial medical assessment or first aid has been completed, ensure that photographs have been taken of any areas involving visible injury or complaint of pain as well as overall photographs of uninjured areas. These photographs should be retained until all potential civil litigation has expired.
- (i) Identify any witnesses not already included in related reports.
- (j) Review and approve all related reports.

If the supervisor determines that any application of force was not within policy, he/she should detail those findings in a separate report. If there is an injury or complaint of an injury, the supervisor should also prepare a risk management report and should submit all reports to the Shift Supervisor.

In the event that the supervisor believes the incident may give rise to civil litigation, a separate claim form should be completed and routed to the appropriate channels.

In the event that a supervisor is unable to respond to the scene of an incident involving a reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

If an inmate has made an allegation of an unnecessary or excessive use of force, the interview should be video-recorded and shall be documented on the appropriate report form.

517.8 USE OF DEADLY FORCE

Use of deadly force is justified in the following circumstances:

- (a) A deputy may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
- (b) A deputy may use deadly force to stop an escaping inmate when the deputy has probable cause to believe that the inmate has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the deputy reasonably believes that there is an imminent or future potential risk of serious bodily injury or death to any other person if the inmate is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the inmate is not at that very moment pointing a weapon at someone. For

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example, an imminent danger may exist if a deputy reasonably believes any of the following:

1. The inmate has a weapon or is attempting to access one and it is reasonable to believe the inmate intends to use it against the deputy or another.
2. The inmate is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the inmate intends to do so.

517.8.1 USE OF DEADLY FORCE-REPORTING

A member, who intentionally or accidentally uses deadly force, whether on- or off-duty, shall ensure that a supervisor is notified of the incident without delay.

The supervisor shall ensure that the chain of command is notified and all necessary health and safety, medical and security measures are initiated.

The Shift Supervisor shall promptly notify the Jail Commander of any incident involving a staff member employing deadly force, or any incident where a death or serious bodily injury may have been caused by a staff member.

517.9 USE OF FORCE REVIEW

The Shift Supervisor shall review all related reports of use of force incidents occurring on his/her command. The review is to determine whether the use of force was in compliance with policy, procedure and applicable law, and to determine if follow-up action or investigation is necessary. The Shift Supervisor should also ensure that a review packet containing a copy of all pertinent reports and materials is prepared and forwarded to the Jail Commander.

517.10 TRAINING

The Jail Commander shall work with the Training Sergeant to ensure legal and facility training mandates are met. This training shall include the following:

- (a) Self-defense
- (b) Use of force to control inmates
- (c) Weapons training
- (d) Confrontation avoidance procedures:
 1. Communication techniques
 2. Cultural diversity
 3. Dealing with the mentally ill
 4. Application of restraints
 5. Reporting procedures
- (e) Forced cell extraction techniques
- (f) Use of force team techniques
- (g) General restraint training (soft and hard restraints)

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517.10.1 TRAINING FOR CONTROL DEVICES

The Training Sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the member's training file.
- (c) Members who fail to demonstrate proficiency with the control device or knowledge of this office's Use of Force Policy will be restricted from carrying the control device until demonstrating proficiency. If a member cannot demonstrate proficiency with a control device or knowledge of this office's Use of Force Policy after remedial training, the member may be subject to discipline.

517.10.2 PERIODIC TRAINING

Supervisors should conduct and document regular periodic briefings concerning this policy and the storage and use of weapons and control devices. Any test sheets or documentation of performance should be forwarded to the Training Sergeant to be included in the member's training record.

Biological Samples

518.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those inmates required to provide samples upon conviction and/or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

518.2 POLICY

The Kings County Sheriff's Office will assist in the expeditious collection of required biological samples from arrestees and offenders in accordance with the laws of this state and with as little reliance on force as practicable.

518.2.1 ARRESTEES

Any adult arrested or charged with any felony offense is required to provide DNA samples. DNA samples should be collected immediately following arrest, during the booking process or as soon as administratively practicable after arrest, but in any case prior to release on bail or other physical release from custody (Penal Code § 296.1(a)(1)(A)).

518.2.2 SEX AND ARSON REGISTRANTS

Any adult or juvenile who is required to register as a sex offender under Penal Code § 290 or arsonist under Penal Code § 457.1, including those whose registration resulted from a qualifying misdemeanor crime is required to submit a DNA sample. (Penal Code § 296(a)(3)).

At the time that any such registrant registers, updates registration or is notified by the DOJ or other law enforcement officer, an appointment shall be made designating the time and place for the collection of DNA samples if no such sample has already been provided (Penal Code § 296.2(c)).

518.3 PERSONS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following inmates must submit a biological sample (Penal Code § 296):

- (a) A person, including a juvenile, upon conviction or other adjudication of any felony offense
- (b) A person, including a juvenile, upon conviction or other adjudication of any offense if the person has a prior felony on record
- (c) An adult arrested or charged with any felony

518.3.1 BUCCAL SWABS

Buccal swab samples (taken from the inside of the mouth) may only be procured by employees who have successfully completed department-approved training in the collection of buccal swabs and with the use of DOJ buccal swab collectors (Penal Code § 298(a) and (b)(3)). A right thumbprint shall be placed on the collector along with other required identifying information.

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(Note: If an individual violently resists or presents other officer safety issues, employees may omit buccal swab samples upon approval of a supervisor.)

518.3.2 FULL PALM PRINTS

Full palm print impressions shall be obtained on DOJ prescribed forms along with all DNA samples (Penal Code § 298(b)(4)).

518.3.3 USE OF FORCE TO OBTAIN SAMPLES

If, after a written or oral request, an inmate who meets all criteria requiring him/her to provide DNA samples refuses to provide any or all of the required DNA samples, a sworn member of this office may use reasonable force to obtain such samples under the following conditions:

- (a) Prior to the use of reasonable force, the deputy shall take and document reasonable steps to secure voluntary compliance (Penal Code § 298.1(c)(1)(C)).
- (b) Prior to the use of reasonable force, the deputy shall obtain written authorization from a supervisor, which shall minimally include that the individual was asked to provide the sample and refused (Penal Code § 298.1(c)(1)(B)).
- (c) If the authorized use of reasonable force includes a cell extraction, such extraction shall be videotaped (Penal Code § 298.1(c)(1)(D)).

For the purpose of this section, the "use of reasonable force" shall be defined as the force that an objective, trained and competent deputy faced with similar facts and circumstances would consider necessary and reasonable to gain compliance (Penal Code § 298.1(c)(1)(A)).

Reporting of the use of force shall follow the reporting requirements set forth in the office Use of Force Policy.

518.4 PROCEDURE

When an inmate is required to provide a biological sample, a trained employee shall attempt to obtain the sample in accordance with this policy.

518.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the inmate is required to provide a sample pursuant to Penal Code § 296 and Penal Code § 296.1.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the individual's criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.
- (c) Use the designated collection kit provided by the California DOJ to perform the collection and take steps to avoid cross contamination.

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518.4.2 AGENCY COLLECTION RESPONSIBILITY

The collection of DNA and other evidentiary samples are the sole responsibility of the arresting agency, however Kings County jail staff may assist if requested and approved by the on-duty Sergeant or Facility Commander.

518.4.3 FOLLOW-UP NOTICE TO DOJ

Within two years of submitting any DNA specimen, sample or impression to DOJ, this office shall notify DOJ whether the individual remains a suspect in a criminal investigation (Penal Code § 297(c)(2)). It shall be the responsibility of DOJ to thereafter purge from the DNA database samples of any individual who is no longer a suspect in any criminal investigation.

518.5 CALCULATED USE OF FORCE TO OBTAIN SAMPLES

If an inmate refuses to cooperate with the sample collection process, deputies should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order or approval of legal counsel and only with the approval of the Shift Supervisor. Methods to consider when seeking voluntary compliance include contacting:

- (a) The inmate's parole or probation officer when applicable.
- (b) The prosecuting attorney to seek additional charges against the inmate for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the inmate's next court appearance.
- (d) The inmate's attorney.
- (e) A chaplain.
- (f) A supervisor who may be able to authorize disciplinary actions to compel compliance, if any are available.

The Shift Supervisor shall review and approve any calculated use of force. The supervisor shall be present to supervise and document the calculated use of force.

518.5.1 VIDEO RECORDING

A video recording should be made any time force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the office's established records retention schedule (15 CCR 1059).

If the use of force includes a cell extraction, the extraction shall also be video recorded, including audio. The video recording shall be retained by the facility in accordance with established records retention schedules. Notwithstanding the use of the video as evidence in a criminal proceeding, the tape shall be retained by the jail administration (15 CCR 1059).

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518.6 LEGAL MANDATES AND RELEVANT LAWS

California law provides for the following:

518.6.1 DOCUMENTATION RELATED TO FORCE

The Shift Supervisor shall prepare prior written authorization for the use of any force (15 CCR 1059).

The written authorization shall include information that the subject was asked to provide the requisite sample and refused, as well as any related court order authorizing the force.

518.6.2 BLOOD SAMPLES

A blood sample should only be obtained under this policy when:

- (a) The California DOJ requests a blood sample and the subject consents, or
- (b) A court orders a blood sample following a refusal.

The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298(a); Penal Code § 298(b)(2)).

518.6.3 LITIGATION

The Sheriff or the authorized designee should notify the California DOJ's DNA Legal Unit in the event this office is named in a lawsuit involving the DNA Data Bank.

Canines

519.1 PURPOSE AND SCOPE

The canine program aids staff in locating contraband and maintaining the security of the facility. This policy outlines requirements of the program, its staff and the expectations of the Kings County Sheriff's Office.

519.2 POLICY

The Kings County Sheriff's Office is committed to ensuring its facilities are free from contraband and drugs by maintaining facility security. This is done by employing trained canine teams to assist in the detection of drugs and other contraband, in accordance with all applicable laws, regulations and office policies and procedures.

519.3 GUIDELINES FOR THE USE OF CANINES

Canines may be used to assist staff in conducting searches for contraband, perimeter patrol, building searches and area searches. At no time may a canine be used to demean, punish or psychologically torment an inmate. Contact between canines and inmates should be minimal. Canines should not be used to search individuals for narcotics unless the canine is trained to passively indicate the presence of narcotics. Canines may also be used for:

- Searching inmate housing units, including cells, during a housing unit search, as described in the Searches Policy.
- Physical plant searches, as described in the Searches Policy.
- Searching unoccupied intake/booking areas.
- Searching unoccupied transportation vehicles before and after inmate use.
- Searching for or tracking escaped offenders.
- Any other search-related use authorized by a supervisor.

A canine team shall only be used to perform tasks for which it has been trained or certified.

519.3.1 REPORTING CANINE USE, AND INJURIES

Whenever the use of the canine results in any injury a canine use report shall be completed and included with any related incident report. The injured party should receive required medical attention as soon as possible.

Photographs should be taken of the injury as soon as practicable after tending to the immediate needs of the injured party. Photographs shall be retained with the canine use report until the potential need for use in any related civil proceeding has expired.

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If a subject alleges an injury that is not visible, a supervisor shall be notified and the location of the alleged injury should be photographed as described above.

519.4 TRAINING

Before assignment in this facility, each canine team shall be trained and certified to meet the certification standards established by the office-approved and recognized canine association.

The Training Sergeant or the authorized designee shall be responsible for scheduling periodic training as recommended by the certification standards adopted by the recognized canine association for all custody personnel. This shall be done to familiarize custody personnel with how to conduct themselves in the presence of office canines.

519.4.1 CONTINUED TRAINING

Each canine team shall be recertified to current standards or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine teams shall receive training as defined in the current contract with the office's canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with the approval of the canine program supervisor.
- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is contrary to the policies of the Kings County Sheriff's Office.
- (d) All canine training shall be conducted while on-duty unless otherwise approved by the canine program supervisor.

519.4.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing certification shall not be deployed in this facility until certification is achieved. Any canine team failing annual recertification shall be immediately removed from service. When practicable, pending successful recertification, the canine handler shall be temporarily reassigned to other duties.

519.4.3 TRAINING RECORDS

A training record for each canine will be created and maintained in the canine handler's training file. The record shall be reviewed and initialed monthly by the supervisor in charge of the canine program. A copy of all training shall be forwarded to the Training Sergeant and retained pursuant to the Kings County Sheriff's Office's established records retention schedules.

519.5 SELECTION AND TRAINING FOR CANINE HANDLERS

The position of canine handler is a special assignment that requires a specific set of skills, experience, training and temperament, in addition to those of a line staff member. A canine handler shall have:

- (a) Two years experience as detentions deputy in the Kings County Sheriff's Office.

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- (b) Performance evaluations of satisfactory or better.
- (c) Demonstrated ability to communicate well with inmates.
- (d) Demonstrated ability to perform ancillary tasks with a minimum of supervision.
- (e) Reside in an adequately fenced, single-family residence (e.g., minimum 5-foot high fence with locking gates).
- (f) Live within 30 minutes travel time from the Kings County limits.
- (g) Agree to be assigned to the position for a minimum of three years.

The canine handler shall receive all necessary training with his/her canine before being utilized in this facility. All training records for canine handlers will be maintained by the Training Sergeant.

519.6 MEDICAL CARE OF THE CANINE

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency as provided in this policy.

519.6.1 NON-EMERGENCY MEDICAL CARE

Non-emergency medical care will be coordinated through the canine program supervisor .

Any indication that a canine is not in good physical condition shall be reported to the canine program supervisor as soon as practicable.

All records of medical treatment shall be maintained in the canine handler's personnel file.

519.6.2 EMERGENCY MEDICAL CARE

The handler shall notify the canine program supervisor as soon as reasonably practicable when emergency medical care for the canine is required. Depending on the severity of the injury or illness, the canine shall either be treated by the designated veterinarian or transported to a designated emergency medical facility for treatment. If the handler and dog are out of the area, the handler may use the nearest available veterinarian.

519.6.3 REPORTING CANINE INJURIES

In the event that a canine is injured, the injury will be immediately reported to the canine program supervisor. The injury will be documented on the appropriate report form.

519.7 REQUESTS FOR ASSISTANCE FROM OTHER AGENCIES

The canine program supervisor or Command Staff must approve all requests for canine assistance from outside agencies, subject to the following provisions:

- (a) Canine teams shall not be used to perform any assignment that is not consistent with this policy.
- (b) The handler has the ultimate authority to decide whether the canine will be used for any specific assignment.

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- (c) Canine teams should not be called into service when off-duty or used outside the jurisdiction of the Kings County Sheriff's Office, unless authorized by the canine program supervisor.
- (d) It shall be the responsibility of the canine handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury.

519.8 REQUESTS FOR PUBLIC DEMONSTRATIONS

All public requests for a canine team appearance shall be approved by the canine program supervisor or command staff prior to making any commitment.

Handlers shall not demonstrate any canine activities to the public unless authorized to do so by the canine program supervisor or command staff.

519.9 CANINE HANDLER RESPONSIBILITIES

The canine handler shall be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, attention and living conditions. In addition, the handler will be responsible for:

- (a) Ensuring the canine is not exposed to any foreseeable and unreasonable risk of harm, unless required by a particular application.
- (b) Maintaining all office equipment under his/her control in a clean and serviceable condition.
- (c) Permitting the canine program supervisor to conduct spontaneous on-site inspections of any area of the residence that is used for the canine.
- (d) Reporting any changes in the living status of the handler that may affect the lodging or environment of the canine to the canine program supervisor as soon as possible.
- (e) Keeping the canine in a kennel provided by the Kings County Sheriff's Office when off-duty, and at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, canines may be let out of the kennels while under the direct control of the handler.
- (f) Permitting the canine to socialize in the home with the handler's family under the direct supervision of the handler.
- (g) Ensuring that under no circumstances will the canine be lodged at another location unless approved by the canine program supervisor.
- (h) Involving their canines in any activity or conduct when off-duty only with approval in advance by the canine program supervisor.
- (i) Notifying the canine program supervisor whenever the canine handler anticipates taking a vacation or an extended number of days off and it may be necessary to temporarily relocate

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the canine. In those situations, the handler shall give reasonable notice to his/her supervisor so that appropriate arrangements can be made.

- (j) Maintaining a daily record that contains the training, care of the dog and significant events, such as public appearances, and when the canine is utilized for searches.

519.9 CONTROLLED SUBSTANCE TRAINING AIDS

Controlled substance training aids are required to effectively train and maintain drug-detecting dogs. Further, controlled substances can be an effective training aid during training sessions for facility personnel and the public. Only approved training aids provided by the canine program supervisor may be used to train the dog. The canine handler shall maintain accurate records of controlled substances provided for training purposes and shall promptly report any loss or destruction of controlled substance training aids to the canine program supervisor.

When not in use as training aids, the controlled substances shall be secured in storage that is only accessible by the canine handler and the program supervisor.

519.10 CANINE PROGRAM SUPERVISOR RESPONSIBILITIES

The canine program supervisor shall be selected according to policy. The canine program supervisor's responsibilities include, but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining liaison with the vendor kennel.
- (c) Maintaining liaison with administrative staff and functional supervisors.
- (d) Maintaining liaison with other agency canine coordinators.
- (e) Maintaining accurate records documenting canine activities.
- (f) Maintaining secure storage of all controlled substance training aids.
- (g) Maintaining an effective audit trail of all controlled substance training aids.
- (h) Recommending and overseeing the procurement of equipment and services for the unit.
- (i) Scheduling all canine-related activities.
- (j) Ensuring the canine teams are scheduled for continuous training to maximize the capabilities of the teams.

Immigration Holds

520.1 IMMIGRATION HOLDS

1.0 PURPOSE:

The purpose of this policy is to establish and maintain a systematic and consistent method of responding to communications from the United States Immigration and Customs Enforcement Agency ("ICE") and any requests to detain, interview, and obtain notifications about individuals currently incarcerated in the Kings County Sheriff's Office's Detention Facilities.

2.0 POLICY STATEMENT:

It is the policy of the Kings County Sheriff's Office ("Sheriff") to equally enforce the laws and serve the public without regard to immigration status. No person shall be held solely on the basis of his or her immigration status except as set forth in this policy. The immigration status of an individual in the Sheriff's custody shall have no bearing on the manner in which Sheriff's personnel execute their duties.

It is also the policy of the Sheriff to refrain from honoring detention requests from ICE ("ICE Holds") under Section 287.7 of Title 8 of the Code of Federal Regulations and holding an individual who is eligible for release from criminal custody unless the request is accompanied by a valid and enforceable warrant issued and signed by a judicial officer.

Finally, it is the policy of the Sheriff to cooperate with ICE officials in the performance of their duties and in accordance with the TRUTH Act, as set forth in Sections 7283 to 7283.2 of the Government Code for any duties relating to the enforcement of civil immigration laws.

3.0 DEFINITIONS

ELIGIBLE FOR RELEASE The individual may be released from criminal custody because one or more of the following conditions has occurred:

1. All criminal charges against the individual have been dropped or dismissed.
2. The individual has been acquitted of all charges filed against him or her.
3. The individual has served all the time required for his or her sentence.
4. The individual has posted a bond.
5. The individual has been released by the Court on his or her own recognizance, electronic monitoring, into the custody of an in-patient program, or on other terms as ordered by the Court.
6. The individual is otherwise eligible for release under state or local law, or local policy, including, but not limited to, under the current Jail population capacity order.
7. The individual is eligible to be released on electronic monitoring in lieu of continued detention in the jail.

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ICE U.S. Immigration and Customs Enforcement Agency.

ICE Holds An immigration detainer request (Form I-247) issued by an authorized immigration officer, pursuant to Section 287.7 of Title 8 of the Code of Federal Regulations, that requests a law enforcement official to maintain custody of the individual for a period not to exceed 48 hours, excluding Saturdays, Sundays, and holidays, and to advise the authorized immigration officer prior to the release of that individual.

ICE Access Includes the following when done for civil immigration enforcement:

1. Responding to an ICE hold, notification, or transfer request, including a response that the individual is not in the local agency's custody or that the local agency will not comply with the request.
2. Providing notification to ICE in advance of the public of an individual's release date. Notice includes allowing ICE access to data sharing networks or systems, as well as formal and informal notifications from the local agency (i.e., telephone calls, emails, faxes, etc.).
3. Providing ICE non-publicly available information regarding the individual's release dates, home addresses, or work addresses, either through the local agency's database or records.
4. Allowing ICE to interview an individual for immigration purposes only.
5. Providing ICE with information regarding an individual's probation or parole check-in dates and time, including upcoming appointments.

4.0 Internal forms for responding to ICE request.

The following forms will be used when communication with an inmate about an ICE request or with ICE about a request received by the jail:

1. Interview consent forms in the appropriate language (English, Spanish, Chinese, Korean, Vietnamese, or Tagalog).
2. Notification of communication or request from ICE and Designation Form.
3. Notification of release information sent to ICE.

Staff will provide the inmate with a copy of any of the above forms when used in response to an ICE request. The original ICE request and form shall be scanned and maintained in the inmate's custodial file. A copy of the ICE request and form shall be maintained in a separate file in Quality Assurance.

Copies of any ICE request and forms processed during a shift shall be provided to Quality Assurance as soon as practicable, but in no event later than the end of the current shift. Quality Assurance will scan the original forms and upload them into the inmate's custodial file. Quality Assurance will then maintain the original request and forms either electronically or in hard copy in

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a separate file to be made available for inspection and copying in accordance with the California Public Records Act ("CPRA") and this policy.

5.0 Procedures for responding to ICE request

A. ICE Requests to Interview an Inmate:

If ICE requests to interview an inmate for immigration purposes, staff shall do the following before responding to ICE:

Provide the inmate(s) named in the request with a "TRUTH Act Consent Form" in English.

1. Prior to providing the form to the inmate, staff shall fill out the following information on the top of the form:

- a) Date consent form is given to the inmate
- b) Name and date of birth (DOB) of the inmate
- c) Inmate's name number (#).
- d) Inmate's assigned housing.

2. If the inmate(s) indicate that he or she would prefer to have the form provided in one of the other available languages (Spanish, Chinese, Vietnamese, Korean, or Tagalog), retain the initial form with the inmate's indicated preference and provide the correct form for the inmate. Prior to providing this form to the inmate, fill out the information indicated above in (a).

3. Make 1 copy of the form, including the English form which the inmate indicates he or she prefers a different language, and distribute as follows:

- a) Original to Quality Assurance to scan and enter into the inmate's custodial file and maintain for disclosure under CPRA.
- b) Copy to the inmate

B. Notification and Designation Form

Staff will provide a Notification and Designation Form ("Notice"), along with a copy of the ICE request, to any inmate who is the subject of an ICE request for:

- a) Detention (hold up to 48 hours without a warrant).
- b) Notification of release date.
- c) Transfer to ICE for an immigration detention.
- d) Other, including a hold as a result of a judicial warrant.

1. Notice.

Prior to providing the Notice and copy of the ICE request, staff shall fill out the following information on the form:

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- a) Date.
- b) Name and date of birth (DOB) of inmate.
- c) Purpose of the ICE request (i.e., detention, notification of release, transfer, or other).
- d) Whether the Jail plans on complying with the request at the time the request is made.
- e) Name and contact officer of Jail staff member who inmate can contact about this notice and the ICE request.

2. Designation Form

In addition to providing the inmate with the Notice, staff shall also ensure the inmate fills out a Designation Form and prints and signs his or her name. In the event the inmate refuses to name a designee or is unable to provide contact information for the designees, staff shall indicate as such on the Designation Form. If the Designation Form is an amendment to a previous designation, staff shall so indicate and include the date of the amendment. Finally, staff accepting any Designation Forms shall fill out his or her name and badge number in the space provided.

After the Notice and Designation Form is complete, staff shall make 2 copies of each and distribute them as follows:

- a) Original to Quality Assurance to be scanned and uploaded into the inmate's custodial file and maintained in a separate file for requests made under the CPRA.
- b) 1 copy to the inmate
- c) 1 copy to the Designee, if applicable.

C. Notification of Release Information to ICE ("Release Notice").

If ICE requests notification of an inmate's release date (including the date on which the inmate is scheduled to check-in with Probation or Alternative Sentencing), Jail Command shall decide whether the request will be honored or not. If the request is honored and Staff provides ICE with this information, Staff shall provide the following to the inmate and his or her designee/attorney at the same time the information is provided to ICE:

- 1. The ICE Release Notice.
- 2. The Jail's response to ICE, which shall include the information provided to ICE in response to the Release Notice request.

Copies of these notices shall be distributed and maintained as followed:

- 1) Original to Quality Assurance to scan and upload into the inmate's custodial file and maintain in a separate file for requests made under CPRA.
- 2) 1 copy to the inmate
- 3) 1 copy to the inmate's designee/attorney.

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D. ICE Detention Requests ("ICE Holds")

Sections 7882 to 7282.5 of the Government Code (the "Trust Act") prohibit the Sheriff from honoring detention requests from ICE Holds requested under section 287.7 of Title 8 of the Code of Federal Regulations unless the request is accompanied by a valid and enforceable warrant signed by a judicial officer or as otherwise allowed under the Trust Act.

For purposes of this policy, a warrant is valid and enforceable if signed by a judicial officer holding a judicial office in a federal or state court, including, but not limited to, a federal magistrate judge.

Absent a valid warrant, an ICE Hold shall not result in the continued detention of an inmate or in the denial or delay of an inmate's release. This includes, but is not limited to, a release on the inmate's own recognizance, following the posting of bail, being offered to be or being placed on electronic monitoring or some other form of supervised release, compassionate release, Sheriff's parole, or being subject to release under an order of court, including any order concerning the population capacity in the detention facilities, or other Jail policy.

In the event staff receives an ICE Hold for an inmate, staff shall do the following:

- 1) Provide a copy of the ICE Hold to the inmate.
- 2) Provide a copy of the Notification and Designation Form to the inmate that indicates the request at issue is a "Hold for up to 48 hours, i.e., detention request ("ICE Hold")" and that staff will not be complying with the request.

In addition, staff shall:

- 1) Provide the original ICE Hold request to Quality Assurance to be scanned and maintained in the inmate's custodial file and as otherwise set forth in this policy.
- 2) Provide a copy of the ICE Hold request and Notification and Designation Form to the inmate.

6.0 MAINTENANCE OF RECORDS

Under the CPRA, any communications with ICE about an inmate must be available for public inspection and copying upon request and subject to suitable redactions. Communications include, but are not limited to the following:

- 1) Request by ICE
- 2) Responses by staff to ICE, whether in a standardized form in some other written form (i.e., fax, letter, or email).
- 3) Notices provided to inmates about ICE requests.
- 4) Designation forms of an inmate.
- 5) Dates ICE access was granted to an individual, including the basis for granting the access. This information can be provided as copies of the notices to the inmates.

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6) Policies, emails, or internal memoranda regarding compliance with ICE requests, except for emails, letters, or memoranda from legal counsel (i.e., County Counsel).

Records identified above shall be retained for a minimum of 2 years in the Jail's electronic records system. All requests for copies or inspection of these records shall be directed to Quality Assurance. Quality Assurance shall consult with legal counsel prior to the release of any documents. Any records released shall have the following information redacted prior to release:

- 1) Name and DOB of the inmate
- 2) Inmate's number.
- 3) Assigned Housing.
- 4) Name and contact information for designees/attorneys.
- 5) Name and signature of inmate.
- 6) Any criminal history information contained in the ICE requests, such as the inmate's charges, etc. Consult with legal counsel prior to release.

Chapter 6 - Inmate Due Process

Inmate Discipline

600.1 PURPOSE AND SCOPE

This policy addresses the fair and equitable application of inmate rules and disciplinary sanctions for those who fail to comply.

600.2 POLICY

It is the policy of this office to maintain written general categories of prohibited inmate behavior that are clear, consistent and uniformly applied. Written rules and guidelines will be made available to all inmates. They will include a process for resolving minor infractions and a hearing process for a more serious breach of inmate rules. Criminal acts may be referred to the appropriate criminal agency (15 CCR 1081).

600.3 DUE PROCESS

Inmates who are subject to discipline as a result of rule violations shall be afforded the procedural due process by the Sheriff that is established in the policies, procedures and practices relating to inmate discipline. All inmates will be made aware of the rules of conduct related to maintaining facility safety, security and order, as well as clearly defined penalties for rule violations. Staff will not engage in arbitrary actions against inmates. All disciplinary actions will follow clearly established procedures. All disciplinary sanctions will be fairly and consistently applied (15 CCR 1081(c) et seq.).

The process for an inmate accused of a rule violation includes:

- Published rules of conduct related to maintaining facility safety, security and order and clearly defined penalties for a violation of rules.
- A fair hearing in which the Jail Commander or the authorized designee presents factual evidence supporting the rule violation and the disciplinary action.
- Advance notice to the inmate of the disciplinary hearing, to allow the inmate time to prepare a defense.
- An impartial hearing officer.
- The limited right to call witnesses and/or present evidence on his/her behalf.
- The appointment of an assistant or representative in cases where the inmate may be incapable of self-representation.
- A formal written decision that shows the evidence used by the hearing officer, the reasons for any sanctions and an explanation of the appeal process.
- Reasonable sanctions for violating rules that relate to the severity of the violation.
- The opportunity to appeal the finding.

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600.3.1 INMATE RULES GENERALLY

The Jail Commander is responsible for ensuring that inmate rules and sanctions are developed, distributed, reviewed annually and revised as needed.

Inmate rules should be an integral part of the inmate orientation and may be provided verbally by staff, as a part of a video presentation to inmates, and in a printed inmate handbook. Inmate rules shall be given to each inmate during initial housing in the form of an inmate handbook, or shall be posted in housing units. Penalties for violation of these rules will also be included in this material.

Inmates cannot be held accountable for rules of which they are unaware. However, it is impossible to define every possible prohibited act or rule violation that might be encountered in a detention facility. Therefore, a current list of recognized infractions that are generally prohibited will be available in each housing unit. Any revised inmate rules shall not go into effect until all inmate rule handbooks have been replaced or the revised rules have been made available in each housing unit. All inmates, regardless of their housing unit, shall have access to these rules. Inmate rules shall be translated into the languages that are understood by the inmates.

Disciplinary procedures governing inmate rule violations shall address rules, minor and major violations, criminal offenses, disciplinary reports, pre-hearing detention and pre-hearing actions or investigations.

600.3.2 RULE VIOLATION REPORTS

California Penal Code § 4019.5 requires a record of all disciplinary infractions and punishment administered will be made. This requirement may be satisfied by retaining copies of rule violation reports, including the disposition of each violation (15 CCR 1084). Rule violation reports are required for major rule violations or any other violation that will require investigation or a formal resolution. The staff member who observed or detected the rule violation or who was charged with investigating a rule violation is responsible for completing the rule violation report. The rule violation report shall include, at minimum:

- The date, time and location of the incident.
- Specific rules violated.
- A written description of the incident.
- The identity of known participants in the incident.
- Identity of any witnesses to the incident.
- Description and disposition of any physical evidence.
- Action taken by staff, including any use of force.
- Name and signature of the reporting deputy.
- Date and time of the report.

The supervisor investigating the violation shall ensure that certain items are documented in the investigation or rule violation report, including:

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- Date and time the explanation and the written copy of the complaint and appeal process was provided to the inmate.
- The inmate's response to the charges.
- Reasons for any sanctions.
- The identity of any staff or witnesses involved, as revealed by the inmate.
- The findings of the hearing officer.
- The inmate's appeal, if any.
- The appeal findings, if applicable.

600.4 RULE VIOLATION PROCEDURES

Minor acts of non-conformance to the rules may be handled informally by any deputy(15 CCR 1081(b)).

Any staff member imposing informal discipline shall complete the reporting portion of the disciplinary report and provide the form to the supervisor for review prior to the imposition of the sanction.

Disciplinary sanctions that may be imposed for minor rule violations include:

- Counseling the inmate regarding expected conduct.
- Assignment to extra work detail.
- Removal from work detail (without losing work time credits).
- Loss of television, telephone and/or commissary privileges for a period not to exceed 72 hours.
- Lockdown in the inmate's assigned cell or confinement in the inmate's bunk area for a period not to exceed 24 hours.

600.4.1 MULTIPLE MINOR RULE VIOLATIONS

Staff may initiate a major rule violation report if an inmate is charged with three or more minor rule violations in a consecutive 30-day period. Copies of all minor rule violations will be attached to the major rule violation report. A staff member shall conduct a hearing according to the procedures of a major rule violation.

600.4.2 MAJOR RULE VIOLATIONS

Major rule violations are considered a threat to the safety, security or efficiency of the facility, its staff members, inmates or visitors. Staff members witnessing or becoming aware of a major rule violation shall take immediate steps to stabilize and manage the situation, including immediate

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notification of a supervisor. The supervisor shall assess the situation and initiate any emergency action, if necessary, and notify the Shift Supervisor (15 CCR 1081(c)).

The staff member who learned of the rule violation shall write and submit a disciplinary report, along with all relevant evidence, to the appropriate supervisor prior to the end of the shift.

Reports shall be concise, explain the facts of the violation and should describe any evidence supporting that the accused inmate did or did not commit the violation. The report shall contain the elements identified in the Rule Violation Reports section of this policy.

600.4.3 ADMINISTRATIVE SEGREGATION HOUSING

Inmates who are accused of a major rule violation may be moved to administrative segregation housing for pre-hearing detention, with the Shift Supervisor's approval, if there is a threat to safety or security. Inmates placed in pre-hearing detention are subject to the property and privilege restrictions commensurate with segregated confinement (15 CCR 1081(d)).

The Jail Commander or the authorized designee shall, within 72 hours including weekends and holidays, review the status of any inmate in pre-hearing detention to determine whether continued pre-hearing segregation housing is appropriate.

600.5 INVESTIGATIONS

When a major rule violation is reported, a supervisor will initiate an investigation, if necessary, within 24 hours of the time the violation is reported. Investigations should be completed without unreasonable delay and generally within three days of the violation. If additional time is needed, the investigating supervisor will request more time in writing from the Shift Supervisor. The inmate will be notified in writing of the delay.

If upon completion of the investigation, the investigating supervisor finds insufficient evidence to support a major rule violation, he/she may discuss alternative sanctions with the Shift Supervisor, including handling the incident as a minor violation or recommending that charges be removed. Such alternatives shall be documented in the inmate's file.

If the investigating supervisor determines that sufficient evidence exists to support a major rule violation, he/she will act as the hearing coordinator and will be responsible for:

- Reviewing all reports for accuracy and completeness.
- Overseeing or conducting any required additional investigation.
- Making a determination as to the final charges.
- Identifying any witnesses that may be called to the hearing.

600.6 NOTIFICATIONS

An inmate charged with a major rule violation shall be given a written description of the incident and the rules violated at least 24 hours prior to a disciplinary hearing.

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Unless waived in writing by the inmate, hearings may not be held in less than 24 hours from the time of notification (15 CCR 1081(c)(1)).

600.7 HEARING OFFICER

The Jail Commander shall appoint at least one hearing officer to preside and conduct disciplinary hearings of rule violations. The appeal will be conducted by a staff member holding the rank of Detentions Sergeant or higher. The hearing officer shall also have the power to impose sanctions. The hearing officer shall not investigate nor preside over any inmate disciplinary hearing on cases where he/she was a witness or was directly involved in the incident that generated the complaint (15 CCR 1081(a)).

600.8 HEARING PROCEDURE

Inmates charged with rule violations are entitled to be present at a hearing unless waived in writing or excluded because their behavior poses a threat to facility safety, security and order (15 CCR 1081(c)(2)). Staff shall inform the hearing officer when any inmate is excluded or removed from a scheduled hearing and shall document the reasons for the exclusion or removal. A copy of the report shall be forwarded to the Jail Commander.

Hearings may be postponed or continued for a reasonable period of time for good cause. Reasons for postponement or continuance shall be documented and forwarded to the Jail Commander (15 CCR 1081(c)(1)).

The hearing officer shall disclose to the accused inmate all witnesses who will be participating in the hearing. Inmates have no right to cross-examine witnesses. However, the accused inmate may be permitted to suggest questions that the hearing officer, in his/her discretion, may ask.

600.8.1 EVIDENCE

Accused inmates have the right to make a statement, present evidence and call witnesses at the hearing. Requests for witnesses shall be submitted in writing by the inmate no later than 12 hours before the scheduled start of the hearing. The written request must include a brief summary of what the witness is expected to say.

The hearing officer may deny the request when it is determined that allowing the witness to testify would be unduly hazardous to institutional safety or correctional goals, when the witness's information would not be relevant or would be unnecessarily duplicative, or is otherwise unnecessary. The reason for denying a witness to testify shall be documented in the hearing report. The reason for denial of any documents requested by the inmate shall also be documented in the hearing record.

A witness's signed written statement may be submitted by the inmate as an alternative to a live appearance. The hearing officer shall review and determine whether the statement is relevant to the charges and shall document the reason for exclusion when any written statement is not given consideration.

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Absent a safety or security concern, all staff reports and evidence, including exculpatory evidence, obtained during the disciplinary investigation shall be made available to the accused inmate prior to the hearing.

600.8.2 CONFIDENTIAL INFORMANTS

If information from any confidential informant is to be presented at the hearing, information establishing the reliability and credibility of the informant shall be provided to the hearing officer prior to the hearing. The hearing officer shall review such information to determine whether the informant is reliable and credible.

600.8.3 DISCIPLINARY DECISIONS

Disciplinary decisions shall be based on the preponderance of evidence presented during the disciplinary hearing.

The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to the inmate's behavior when determining what type of discipline, if any, should be imposed (28 CFR 115.78(c)).

The appeals sergeant shall affirm, reverse or modify the disciplinary action during the hearing process.

The appeals sergeant may elect to reduce or modify the rule violation from a major rule violation to a minor rule violation based on information obtained during the hearing process. The appeals sergeant will not modify the rule violation from a minor rule violation to a major rule violation.

600.8.4 REPORT OF FINDINGS

A record of all disciplinary hearings shall be maintained in accordance with established records retention schedules.

The hearing officer shall write a report regarding the decision and detailing the evidence and the reasons for the disciplinary action. A copy of the report shall be provided to the inmate. The original shall be filed with the record of the proceedings. All documentation related to the disciplinary process shall be retained and a copy should be placed in the inmate's file (15 CCR 1081(c)(4)).

If it is determined that the inmate's charge is not sustained at the end of the disciplinary hearing, the disciplinary report shall be removed from the inmate's file but otherwise maintained in accordance with records retention requirements.

All disciplinary hearing reports and dispositions shall be reviewed by the Jail Commander or the authorized designee soon after the final disposition. Inmates in disciplinary segregation shall receive visits from the Jail Commander or the authorized designee at least once every seven days as part of the disciplinary review process (15 CCR 1081(c)(3)).

600.9 DISCIPLINARY APPEALS

Inmates wishing to appeal the decision of the hearing officer may do so by utilizing the inmate grievance procedure. Jail Commander

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600.10 LIMITATIONS ON DISCIPLINARY ACTIONS

The U.S. and State Constitutions expressly prohibit all cruel or unusual punishment. Additionally, there shall be the following limitations (15 CCR 1083(a) through (i)):

- In no case shall any inmate or group of inmates be delegated the authority to punish any other inmate or group of inmates (Penal Code § 4019.5).
- In no case shall a safety cell, as specified in the Juvenile Housing Policy and the Safety and Sobering Cells Policy, be used for disciplinary purposes.
- In no case shall any restraint device be used for disciplinary purposes.
- Food shall not be withheld as a disciplinary measure.
- Correspondence privileges shall not be withheld except in cases where the inmate has violated correspondence regulations, in which case correspondence other than legal mail may be suspended for no longer than 72 hours without the review and approval of the Jail Commander.
- In no case shall access to the courts and/or legal counsel be suspended as a disciplinary measure.
- No inmate may be deprived of the implements necessary to maintain an acceptable level of personal hygiene.
- Disciplinary segregation in excess of 30 days without review by the Jail Commander is prohibited. The review shall include a consultation with health care staff. Such reviews shall continue at least every 15 days thereafter until the disciplinary status has ended.
- Discipline may be imposed for sexual activity between inmates. However, such activity shall not be considered sexual abuse for purposes of discipline unless the activity was coerced (28 CFR 115.78(g)).
- No discipline may be imposed for sexual contact with staff unless there is a finding that the staff member did not consent to such contact (28 CFR 115.78(e)).
- No inmate may be disciplined for falsely reporting sexual abuse or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation, if the report was made in good faith based upon a reasonable belief that the alleged conduct occurred (28 CFR 115.78(f)).

600.11 GUIDELINES FOR DISCIPLINARY SANCTIONS

The sanctions imposed for rule violations can range from counseling, loss of privileges, extra work, loss of good and/or work time and segregation and a disciplinary isolation diet as provided in the Disciplinary Segregation Policy. To the extent that there is available therapy, counseling or other interventions designed to address and correct underlying reasons or motivations for sexual abuse, the facility shall consider whether to require an inmate being disciplined for sexual abuse

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to participate in such interventions as a condition of access to programming or other benefits (28 CFR 115.78(d)).

Discipline shall be commensurate with the nature and circumstances of the offense committed, the inmate's disciplinary history and the sanctions imposed for comparable offenses by other inmates with similar histories (28 CFR 115.78(b); 15 CCR 1082).

Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse (28 CFR 115.78(a)).

In all cases, sanctions should be imposed for the purpose of controlling or changing an inmate's behavior and not for the purpose of punishment (15 CCR 1082).

Acceptable forms of discipline shall consist of, but not be limited to the following (15 CCR 1082):

- Loss of privileges
- Extra work detail
- Short-term lockdown for less than 24 hours
- Removal from work details
- Forfeiture of "work time" credits earned under Penal Code § 4019
- Disciplinary detention
- Disciplinary isolation diet

The Sheriff, Jail Commander, Jail Lieutenant or their designee shall be responsible for developing and implementing a range of disciplinary sanctions for violations.

600.12 TRAINING

The Jail Commander or the authorized designee is responsible for ensuring that a wide range of training and disciplinary tools are available to aid staff and that preprinted forms are available for documenting rule violations in a consistent and thorough manner.

The Training Sergeant is responsible for developing and delivering, or procuring, training for staff members who participate in the disciplinary hearing process. Training topics should include the legal significance of due process protections and the hearing officer's role in assuring that those protections are provided.

Inmate Non-Discrimination

602.1 PURPOSE AND SCOPE

The constitutional rights of inmates regarding discrimination are protected during incarceration. These protections extend to administrative decisions, e.g., classification, access to programs and the availability of services. This policy is intended to guide the staff toward non-discriminatory administrative decisions by defining classes protected by the 1964 Civil Rights Act and detailing an inmate complaint and discrimination investigation process.

602.2 POLICY

All decisions concerning inmates housed at this facility shall be based on reasonable criteria that support the health, safety, security and good order of the facility. This policy prohibits the staff from discriminating against an inmate based upon age, race, religion, national origin, sexual orientation or sex. It establishes a process by which the inmate can report possible discrimination.

Reasonable and comparable opportunities for participation in vocational, educational and religious programs shall be made available to all inmates. Males and females housed at the same facility shall have comparable access to all services and programs. Neither gender shall be denied opportunities on the basis of its smaller representation in the total population.

602.3 INMATES REPORTING DISCRIMINATION

Inmates who wish to report an allegation of discrimination may communicate with facility management by way of the following:

- (a) Inmate Grievance Form provided by the facility staff
- (b) Confidential correspondence addressed to the Jail Commander or Sheriff or other government official, including the courts or legal representative
- (c) Verbally to any supervisor or other staff member of this facility

602.3.1 HANDLING COMPLAINTS OF DISCRIMINATION

Staff shall promptly forward all written allegations of discrimination by inmates to the Shift Supervisor. If the allegation is presented verbally, the receiving staff member shall prepare an incident report identifying the circumstances prompting the allegation, the individuals involved and any other pertinent information that would be useful to investigating the allegation.

Unless the grievance or written complaint submitted by the inmate is clearly identified as confidential and addressed to the Jail Commander, Sheriff or other official, the Shift Supervisor shall review the complaint and attempt to resolve the issue. In any case, the Shift Supervisor shall document the circumstances of the allegation and what actions, if any, were taken to investigate or resolve the complaint. All reports of alleged discrimination shall be forwarded to the Jail Commander for review and further investigation or administrative action as needed.

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Inmate Non-Discrimination

Administrative evaluations and response to allegations of discrimination shall be based upon objective criteria:

- (a) The inmate's classification
- (b) The inmate's criminal history
- (c) Current and past behavior and disciplinary history
- (d) Housing availability
- (e) The availability of programs
- (f) The ability to safely provide the requested services

Grooming

603.1 PURPOSE AND SCOPE

The purpose of this policy is to allow inmates to have freedom in personal grooming, except when a legitimate government interest justifies the development of grooming standards that are based upon orders of the court, inmate classification, work status, safety and security, or health and hygiene.

603.2 POLICY

It is the policy of this facility to allow inmates freedom in personal grooming, except when a valid government interest justifies that grooming standards be established. The Jail Commander or the authorized designee shall establish inmate grooming standards specific to inmate classification, work status, facility safety and security, or inmate health and hygiene. Any established standards should not unreasonably interfere with religious observances. Grooming standards should be identified in the inmate handbook.

603.3 HAIRCUTS

Inmates will be provided haircuts and hair-cutting tools subject to established facility rules. If hair length, style or condition presents a security or sanitation concern, haircuts may be mandatory. Inmates who significantly alter their appearance may be required to submit to additional booking photos.

Inmates shall not cut names, numbers or other designs into their hair.

603.3.1 HAIR CARE SERVICES

The Jail Commander or the authorized designee shall establish written procedures for inmate hair care services (15 CCR 1267(a)). The procedures will include schedules for hair care services and allow rescheduling for conflicts, such as court appearances.

Inmates shall generally be permitted to receive hair care services once per month after being in custody for at least 30 days. Staff may suspend access to hair care services if an inmate appears to be a danger to him/herself or others or to the safety and security of the facility.

603.4 SHAVING

Inmates may shave daily. Facial hair shall be clean and well groomed. Long beards may allow inmates to conceal weapons or contraband. Inmates may be required to trim facial hair if it poses a security or safety risk. Inmates may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair. Inmates with facial hair who work around food shall wear appropriate facial coverings.

An inmate may be denied access to razors if he/she appears to be a danger to him/herself or others, or if such access may jeopardize the safety and security of the facility.

Grooming

Inmates may be restricted from significantly altering their appearance for reasons of identification in court (15 CCR 1267(b)).

603.5 NAILS

Nail clippers will be kept at the control station and will be issued to inmates upon request. Inmate workers are required to keep their nails clean and trimmed. Inmates with long nails may be required to trim their nails if there is a security concern and the inmate is admitted to general population.

603.6 GROOMING EQUIPMENT

Grooming equipment is to be inventoried and inspected by the staff at the beginning of each shift and prior to being issued to inmates. The staff shall ensure that all equipment is returned by the end of the shift and is not damaged or missing parts.

Grooming equipment will be disinfected before and after each use by the methods approved by the State Board of Barbering and Cosmetology to meet the requirements of (16 CCR 979; 16 CCR 980; 15 CCR 1267(c)). Cleaning methods include:

- Removing foreign matter.
- Cleaning tools with soap or detergent and water.
- Immersing non-electrical equipment in disinfectant.
- Spraying electrical equipment with disinfectant.
- Storing cleaned equipment in clear, covered containers that are labeled as such.

Disinfectant solution shall be changed at least once per week or whenever the solution is cloudy or dirty. Solution will be stored in covered containers with labeled instructions for its use and the Environmental Protection Agency registration number.

603.7 SHOWERING

Inmates shall be permitted to shower upon assignment to a housing unit, at least every other day thereafter and more often if practicable (15 CCR 1266).

603.8 PERSONAL CARE ITEMS

Inmates are expected to maintain their hygiene using approved personal care items. Personal care items, including disposable razors, toothbrushes, combs and soap, are available through the inmate commissary and will be charged to the inmate's account.

Indigent inmates shall receive hygiene items necessary to maintain an appropriate level of personal hygiene.

No inmate will be denied the necessary personal care items. For sanitation and security reasons, personal care items shall not be shared (15 CCR 1265 et seq.).

Inmate Grievances

604.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which inmates may file grievances and receive a formal review regarding the conditions of their confinement.

This policy does not apply to grievances related to sexual abuse and sexual harassment (see the Prison Rape Elimination Act Policy).

604.2 POLICY

It is the policy of this office that any inmate may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food service, hygiene and sanitation needs, recreation opportunities, classification actions, disciplinary actions, program participation, telephone, mail and visiting procedures (15 CCR 1073). Grievances are not intended to be used to challenge state or local laws, court decisions, or probation/parole actions.

604.2.1 ACCESS TO THE GRIEVANCE SYSTEM

All inmates shall be provided with access to the grievance process for resolving complaints arising from facility matters related to conditions of their confinement with at least one level of appeal.

Inmates will receive an inmate orientation pamphlet during the booking process, which will contain information regarding the grievance procedure. Information regarding the grievance process will be provided to inmates in the language they understand.

The information will include (15 CCR 1073(a) and (b)):

- A grievance form or instructions for filing a grievance.
- Instructions for the resolution of the grievance at the lowest appropriate staff level.
- The appeal process to the next level of review.
- Written reasons for denial of a grievance at each level of review.
- A provision of required timeframes for responses.
- A provision for resolving questions of jurisdiction within the facility.
- Consequences for abusing the grievance system.

604.3 INMATE GRIEVANCE PROCEDURES

Staff shall attempt to informally resolve all complaints or requests at the lowest level and determine whether the inmate is requesting to file a grievance. All attempts to resolve complaints or requests shall be documented in the inmate's file, as well as if and when an inmate is provided with a grievance form. Any inmate may file a grievance, as may any group of inmates, in writing. Once a grievance is submitted in writing, it must be submitted by each inmate on a separate grievance form. This is done to ensure that each individual is responded to in a timely manner.

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The grievance procedure has three steps. At each step, jail staff has a specific number of days to respond. If there is no response by jail staff within the appropriate amount of days, the inmate may take his or her grievance to the next level.

All grievances must start at the first step and proceed to the second and third steps. Steps in the grievance procedure cannot be skipped. The steps in the procedure are arranged in order up the chain of command to the Facility Lieutenant or Commander. The decision of the Facility Lieutenant or Commander is final and shall be considered the policy of the jail.

The three steps of the grievance procedure are as follows:

First step:

(a) Deputy shall determine whether the inmate is requesting to file a grievance or is making a request or complaint that can be dealt with immediately by the deputy.

(b) If the inmate is asking to file a grievance, deputy shall hand the inmate a grievance form. Deputy shall instruct the inmate that he or she must fill out his or her name, cell number, and inmate identification number (Name #) at the top of the form, sign the form, and fill out the section entitled "Circumstances resulting in grievance." Deputy shall verify this information is present when receiving the completed grievance form.

(c) Senior Deputy/Deputy shall take the completed grievance form and fill out the area entitled "Submitted to Deputy," along with the date and time the grievance is received. Senior Deputy/Deputy shall make a copy of the grievance form and provide it to the inmate. The Senior Deputy/Deputy shall review the grievance and respond within 48 hours with a resolution or a response that indicates why the grievance cannot be resolved at this level.

(e) Senior Deputy/Deputy shall fill out the section by filling in the date, time, and resolution or indicate that the grievance cannot be resolved at this level and why.

(f) Senior Deputy/Deputy shall make a copy of the responded to grievance and have the copy provided to the inmate. The original grievance will be given to the shift supervisor for review and then placed in the inmate's file.

(g) Jail staff will immediately forward all grievances regarding medical issues to the medical staff for response within 5 days, a copy of the submitted grievance will be provided to a Facility Lieutenant.

Second step:

(a) Once the inmate either receives a copy of the responded to grievance form back from the Senior Deputy/Deputy or 48 hours have passed since the first step grievance was submitted, the inmate may submit a second step grievance to the Administrative Sergeant if the inmate is not satisfied with the Senior Deputy/Deputy response or the Senior Deputy/Deputy has not provided a response.

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(b) Inmate shall fill out the "Circumstances resulting in grievance" section and hand to Deputy. Deputy shall fill out his/her name under "Submitted to Deputy for delivery to Admin Sergeant," as well as the date and time the grievance is submitted. Deputy shall make a copy of the grievance form and provide it to the inmate and provide the original second step form to the Administrative Sergeant.

(c) Administrative Sergeant shall review the grievance and provide a response within (5) five working days by filling out the area entitled "Responding Admin Sergeant," along with the date, time and resolution or an indication that the grievance cannot be resolved at this level.

(d) Administrative Sergeant shall make a copy of the responded to grievance and have the copy provided to the inmate. The original response shall go in the inmates file.

Third step:

(a) Once the inmate either receives a copy of the responded to grievance form back from the Administrative Sergeant or five working days have passed since the second step grievance was submitted, the inmate may submit a third step grievance to the Facility Lieutenant if the inmate is not satisfied with the Administrative Sergeant's response or the Administrative Sergeant has not provided a response. In the absence of the Facility Lieutenant, the Commander will handle the third step grievance process.

(b) Inmate shall fill out the "Circumstances resulting in grievance" section and hand to deputy. Deputy shall fill out his/her name under "Submitted to Deputy for delivery to Facility Lieutenant," as well as the date and time the grievance is submitted. Deputy shall make a copy of the grievance form and provide it to the inmate and deliver the original to the Facility Lieutenant for response.

(c) Facility Lieutenant shall review the grievance and respond within (7) seven working days by filling out the area entitled "Responding Facility Lieutenant/Commander," along with the date, time and resolution or an indication that the grievance cannot be resolved. If the Facility Lieutenant indicates that the grievance cannot be resolved, the reasons why the grievance cannot be resolved must be included in the response (i.e.,inmate is challenging a court decision or law or is making a claim for damages).

(d) Facility Lieutenant or their designee shall make a copy of the responded to grievance and have the copy provided to the inmate. The original response shall go in the inmates file. The Facility Lieutenant and or Commander's response is final and shall be considered the policy of the jail.

604.3.1 FRIVOLOUS GRIEVANCES

Inmates shall use the grievance process only for legitimate problems or complaints. If there is concern that an inmate is abusing the grievance process, he/she shall be informed that continued behavior may result in disciplinary action.

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604.4 TRAINING

The shift supervisor/Senior Deputy shall ensure that all custody staff receive initial and periodic training regarding all aspects of the Inmate Grievances Policy.

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605.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse and sexual harassment (28 CFR 115.11; 15 CCR 1029).

605.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the inmate does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse (28 CFR 115.6; 15 CCR 1006):

- (a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- (b) Contact between the mouth and the penis, vulva, or anus
- (c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- (d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation

Sexual abuse also includes abuse by a staff member, contractor, or volunteer as follows, with or without consent of the inmate, detainee, or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above

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- Any display by a staff member, contractor, or volunteer of his/her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident
- Voyeurism by a staff member, contractor, or volunteer

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6; 15 CCR 1006).

Transgender - a person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

605.2 POLICY

This office has zero tolerance with regard to sexual abuse and sexual harassment in this facility. This office will take appropriate affirmative measures to protect all inmates from sexual abuse and harassment, and promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment.

605.2.1 MISSION

It is the mission of the Kings County Sheriff's Office to DETER, DETECT, INTERRUPT AND RESPOND to incidents of sexual misconduct.

- DETER misconduct through the enforcement of established rules, policies and procedures.
- DETECT misconduct through vigilant observations for warning signs.
- INTERRUPT identified ongoing misconduct.
- RESPOND to victims of misconduct with an appropriate coordinated effort.

605.3 PREA COORDINATOR

The Jail Commander shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee office efforts to comply with PREA standards. The PREA coordinator shall review facility policies and practices and make appropriate compliance recommendations to the Jail Commander (28 CFR 115.11).

The PREA coordinator's responsibilities shall include:

- (a) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators, and facility management to an incident of sexual abuse. The plan must also outline the office's approach to identifying imminent sexual abuse toward inmates and preventing and detecting such incidents (28 CFR 115.11; 28 CFR 115.65; 28 CFR 115.62).
- (b) Ensuring that within 30 days of intake, inmates are provided with comprehensive education, either in person or through video, regarding their rights to be free from

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sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding the office's policies and procedures for responding to such incidents (28 CFR 115.33).

- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees from sexual abuse. This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year. In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration (28 CFR 115.13).
 - 1. Generally accepted detention and correctional practices.
 - 2. Any judicial findings of inadequacy.
 - 3. Any findings of inadequacy from federal investigative agencies.
 - 4. Any findings of inadequacy from internal or external oversight bodies.
 - 5. All components of the facility's physical plant, including blind spots or areas where staff or inmates may be isolated.
 - 6. The composition of the inmate population.
 - 7. The number and placement of supervisory staff.
 - 8. Institution programs occurring on a particular shift.
 - 9. Any applicable state or local laws, regulations, or standards.
 - 10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse.
 - 11. Any other relevant factors.
- (d) Ensuring that, when designing, acquiring, expanding, or modifying facilities, or when installing or updating a video-monitoring system, electronic surveillance system, or other monitoring technology, consideration is given to the office's ability to protect inmates from sexual abuse (28 CFR 115.18).
- (e) Ensuring that any contract for the confinement of office detainees or inmates includes the requirement to adopt and comply with the PREA standards including obtaining incident-based and aggregated data, as required in 28 CFR 115.187. Any new contract or contract renewal shall provide for office contract monitoring to ensure that the contractor is complying with the PREA standards (28 CFR 115.12).
- (f) Making reasonable efforts to enter into agreements with community service providers to provide inmates with confidential, emotional support services related to sexual abuse. The facility shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations. Persons detained solely for civil immigration purposes shall be given contact information for immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies in as confidential a manner as possible. The facility shall inform inmates, prior to giving

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them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws (28 CFR 115.53).

- (g) Ensuring the protocol describing the responsibilities of the Office and of another investigating agency, if another law enforcement agency will be responsible for conducting any sexual abuse or sexual harassment investigations, is published on the facility website or by other means, if no website exists (28 CFR 115.22).
- (h) Implementing a process by which inmates may report sexual abuse and sexual harassment to a public/private entity or an office that is not part of the Office, and that the outside entity or office is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to the Jail Commander, allowing the inmate anonymity (28 CFR 115.51; 15 CCR 1029).
- (i) Establishing a process to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under the direct control of this office, using a standardized instrument and set of definitions. Upon request, the Office shall provide all such data from the previous calendar year to the U.S. Department of Justice (DOJ) no later than June 30 (28 CFR 115.87; 34 USC § 30303; 15 CCR 1041).
 - 1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the U.S. Department of Justice (DOJ).
 - 2. The data shall be aggregated at least annually.
- (j) Establishing a process to monitor the conduct and treatment of detainees or staff who have reported sexual abuse, and the conduct and treatment of detainees who were reported to have suffered sexual abuse.
- (k) Ensuring that the following are published on the office's website or by other means, if no website exists:
 - 1. Office policy governing investigations of allegations of sexual abuse and sexual harassment or the referral of such investigations of sexual abuse or sexual harassment (unless the allegation does not involve potentially criminal behavior) (28 CFR 115.22)
 - 2. Information on how to report sexual abuse and sexual harassment on behalf of an inmate (28 CFR 115.54)
- (l) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 (28 CFR 115.93).
- (m) Implementing a protocol requiring mid-level or higher-level supervisors to conduct and document unannounced inspections to identify and deter sexual abuse and sexual harassment. The protocol shall prohibit announcing when such inspections are to occur, unless it is necessary for operational considerations (28 CFR 115.13).
- (n) Ensuring agreements with outside investigating agencies include PREA requirements, including a requirement to keep the Kings County Sheriff's Office informed of the progress of the investigation (28 CFR 115.71).

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- (o) Ensuring that information for uninvolved inmates, family, community members, and other interested third parties to report sexual abuse or sexual harassment is publicly posted at the facility (15 CCR 1029).

605.4 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION

Any employee, agency representative, volunteer, or contractor who becomes aware of an incident of sexual abuse, sexual harassment, or retaliation against inmates or staff shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator (28 CFR 115.61). Staff may also privately report sexual abuse and sexual harassment of inmates (e.g., report to the Jail Commander) (28 CFR 115.51; 15 CCR 1029).

The facility shall provide information to all visitors or third parties on how they may report any incident, or suspected incident of sexual abuse, or sexual harassment to a staff member (28 CFR 115.54; 15 CCR 1029).

Inmates may report incidents anonymously or to any staff member they choose. Staff shall accommodate all inmate requests to report allegations. Staff shall accept reports made verbally, in writing, anonymously, or from third parties and shall promptly document all verbal reports (28 CFR 115.51; 15 CCR 1029).

Threats or allegations of sexual abuse, sexual harassment, or retaliation, regardless of the source, shall be documented and referred for investigation. Reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61).

605.4.1 REPORTING TO OTHER FACILITIES

If there is an allegation that an inmate was sexually abused while he/she was confined at another facility, the Jail Commander shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Commander shall ensure that the notification has been documented (28 CFR 115.63).

605.5 RETALIATION

All inmates and staff who report sexual abuse or sexual harassment, or who cooperate with sexual abuse or sexual harassment investigations, shall be protected from retaliation.

Protective measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment, or reassignment of the victim or alleged perpetrator to another housing area, and support services for inmates or staff who fear retaliation, shall be utilized (28 CFR 115.67; 15 CCR 1029).

The Jail Commander or the authorized designee shall assign a supervisor to monitor, for at least 90 days, the conduct and treatment of inmates or staff who report sexual abuse or sexual harassment, as well as inmates who were reported to have suffered sexual abuse, to determine if there is any possible retaliation. The supervisor shall act promptly to remedy any such retaliation. The assigned supervisor should consider inmate disciplinary reports, housing or program changes,

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negative staff performance reviews, or reassignment of staff members. Monitoring may continue beyond 90 days if needed. Inmate monitoring shall also include periodic status checks. The Jail Commander should take reasonable steps to limit the number of people with access to the names of individuals being monitored and should make reasonable efforts to ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take reasonable measures to protect that individual against retaliation (28 CFR 115.67).

605.6 FIRST RESPONDERS

If an allegation of inmate sexual abuse is made, the first deputy to respond shall (28 CFR 115.64):

- (a) Separate the parties.
- (b) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.82).
- (c) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (d) If the time period allows for collection of physical evidence, request that the alleged victim, and ensure that the alleged abuser, do not take any actions that could destroy physical evidence (i.e., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating).
- (e) Consider whether a change in classification or housing assignment for the victim is needed or whether witnesses to the incident need protection, both of which may include reassignment of housing.
- (f) Determine whether the alleged perpetrator should be administratively segregated or administratively transferred during the investigation.

If the first responder is not a deputy, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a deputy.

Should an investigation involve inmates who have disabilities or who have limited English proficiency, the first responder shall not rely on inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise inmate safety, the performance of first responder duties or the investigation of sexual abuse or sexual harassment allegations (28 CFR 115.16).

605.7 SEXUAL ABUSE AND SEXUAL HARASSMENT INVESTIGATIONS

An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse and sexual harassment (28 CFR 115.22). Administrative investigations shall

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include an effort to determine whether the staff's actions or inaction contributed to the abuse. All administrative and/or criminal investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Only investigators who have completed office-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases (28 CFR 115.71).

When practicable, an investigator of the same sex as the victim should be assigned to the case. Sexual abuse and sexual harassment investigations should be conducted promptly and continuously until completed. Investigators should evaluate reports or threats of sexual abuse and sexual harassment without regard to an inmate's sexual orientation, sex or gender identity. Investigators should not assume that any sexual activity among inmates is consensual.

The departure of the alleged abuser or victim from the employment or control of the jail or Office shall not provide a basis for terminating an investigation (28 CFR 115.71).

If the investigation is referred to another agency for investigation, the Office shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented. The Office shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation (28 CFR 115.71). If criminal acts are identified as a result of the investigation, the case shall be presented to the appropriate prosecutor's office for filing of new charges (28 CFR 115.71).

Evidence collection shall be based on a uniform evidence protocol that is developmentally appropriate for youth, if applicable, and adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011 (28 CFR 115.21).

Inmates alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).

If a victim is under 18 or considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

605.7.1 INVESTIGATIVE FINDINGS

All completed written investigations shall be forwarded to the Jail Commander or, if the allegations may reasonably involve the Jail Commander, to the Sheriff. The Jail Commander or Sheriff shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.71; 28 CFR 115.72).

The staff shall be subject to disciplinary sanctions, up to and including termination, for violating this policy. Termination shall be the presumptive disciplinary sanction for staff members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances

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of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to the law enforcement agency that would handle any related investigation and to any relevant licensing bodies (28 CFR 115.76).

605.7.2 REPORTING TO INMATES

The Jail Commander or the authorized designee shall inform a victim inmate in writing whether an allegation has been substantiated, unsubstantiated or unfounded. If the Office did not conduct the investigation, the Office shall request relevant information from the investigative agency in order to inform the inmate.

If a staff member is the accused (unless the Office has determined that the allegation is unfounded), the inmate shall also be informed whenever:

- (a) The staff member is no longer assigned to the inmate's unit or employed at the facility.
- (b) The Office learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility.

If another inmate is the accused, the alleged victim shall be notified whenever the Office learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

All notifications or attempted notifications shall be documented. When notification is made while the inmate is in custody, the inmate will sign a copy of the notification letter. The letter will be added to the case file (28 CFR 115.73).

605.8 SEXUAL ABUSE AND SEXUAL HARASSMENT BETWEEN STAFF AND INMATES

Sexual abuse and sexual harassment between staff, volunteers or contract personnel and inmates is strictly prohibited. The fact that an inmate may have initiated a relationship or sexual contact is not recognized as a defense to violating this policy.

Any incident involving allegations of staff-on-inmate sexual abuse or sexual harassment shall be referred to the Internal Affairs Unit for investigation.

605.8.1 SEXUAL ABUSE BY CONTRACTOR OR VOLUNTEER

Any contractor or volunteer who engages in sexual abuse within the facility shall be immediately prohibited from having any contact with inmates. He/she shall be promptly reported to the law enforcement agency that would investigate such allegations and brought to the attention of any relevant licensing bodies (28 CFR 115.77).

605.9 SEXUAL ABUSE VICTIMS

Inmates who are victims of sexual abuse shall be transported to the nearest appropriate location for treatment of injuries and collection of evidence, and for crisis intervention services (28 CFR

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115.82). Depending on the severity of the injuries, transportation may occur by a staff member or by ambulance, in either case with appropriate security to protect the staff, the inmate and the public, and to prevent escape.

A victim advocate from a rape crisis center should be made available to the victim. If a rape crisis center is not available, the Office shall make available a qualified member of a community-based organization, or a qualified health care or mental health professional from the Office, to provide victim advocate services. Efforts to secure services from a rape crisis center shall be documented. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in (34 USC § 12511 (b)(2)(C), to sexual assault victims of all ages. A rape crisis center that is part of a government unit may be used if it is not part of the criminal justice system (such as a law enforcement agency) and it offers a level of confidentiality comparable to the level at a nongovernmental entity that provides similar victim services (28 CFR 115.21).

605.10 EXAMINATION, TESTING, AND TREATMENT

Examination, testing, and treatment shall include the following (15 CCR 1206):

- (a) Forensic medical examinations shall be performed as evidentiary or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANE)s. If neither SAFEs nor SANEs are available, other qualified medical practitioners can perform the examination. The Office shall document its efforts to provide SAFEs or SANEs (28 CFR 115.21).
- (b) If requested by the victim, a victim advocate, a qualified office staff member, or a qualified community organization staff member shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information, and referrals (28 CFR 115.21).
- (c) Provisions shall be made for testing the victim for sexually transmitted diseases (28 CFR 115.82).
- (d) Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.
- (e) Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections, and follow-up treatment for sexually transmitted diseases (28 CFR 115.82; 28 CFR 115.83). This shall be done in a timely manner.
- (f) Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner.
- (g) Victims shall be provided with follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody (28 CFR 115.83).

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- (h) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.82; 28 CFR 115.83).
- (i) The health authority or mental health staff shall obtain informed consent from inmates before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the inmate is under the age of 18 (28 CFR 115.81).
- (j) Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions (28 CFR 115.81).

605.11 PROTECTIVE CUSTODY

Inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of available alternatives has been made and it has been determined that there is no reasonably available alternative means of separation. Inmates may be held in involuntary protective custody for less than 24 hours while an assessment is completed.

If an involuntary protective custody assignment is made because of a high risk for victimization, the Jail Commander shall clearly document the basis for the concern for the inmate's safety and the reasons why no alternative means of separation can be arranged (28 CFR 115.43).

The facility shall assign these inmates to involuntary protective custody only until an alternative means of separation from likely abusers can be arranged, not ordinarily in excess of 30 days.

Inmates placed in temporary protective custody shall continue to have reasonable access to programs, privileges, education and work opportunities. If restrictions are put in place, the Jail Commander shall document the following:

- (a) The opportunities that have been limited
- (b) The duration of the limitation
- (c) The reasons for such limitations

Every 30 days, the Jail Commander shall afford each such inmate a review to determine whether there is a continuing need for protective custody (28 CFR 115.43).

605.12 SEXUAL ABUSE INCIDENT REVIEW

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded (28 CFR 115.86). The review should occur within 30 days of the conclusion of the investigation.

The review team shall include upper-level management officials and seek input from line supervisors, investigators and qualified health care and or mental health professionals, as appropriate:

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- (a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race, ethnicity, gender identity or lesbian, gay, bisexual, transgender or intersex identification status or perceived status, by gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.
- (d) Assess the adequacy of staffing levels in the area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- (f) Prepare a written report of the team's findings, including, but not limited to, determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Jail Commander and the PREA Coordinator.

The Jail Commander or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so.

605.13 DATA REVIEWS

This office shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training by:

- (a) Identifying problem areas.
- (b) Identifying corrective actions taken.
- (c) Recommending corrective actions.
- (d) Comparing current annual data and corrective actions with those from prior years.
- (e) Assessing the office's progress in addressing sexual abuse.

The reports shall be approved by the Jail Commander and made available through the office website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated (28 CFR 115.88).

All aggregated sexual abuse data from Kings County Sheriff's Office facilities and private facilities with which it contracts shall be made available to the public at least annually through the office website. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.89).

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605.14 RECORDS

All case records and reports associated with a claim of sexual abuse and sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with confidentiality laws.

The Office shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Office, plus five years (28 CFR 115.71).

All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law requires otherwise (28 CFR 115.89).

605.15 PRESERVATION OF ABILITY TO PROTECT INMATES

The Office shall not enter into or renew any collective bargaining agreement or other agreement that limits the office's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.66).

Inmate Rights - Protection from Abuse

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that inmates are afforded a safe, healthful environment free from abuse, corporal punishment or harassment, and that inmate property is protected.

606.2 POLICY

It is the policy of this office to make every reasonable effort to protect inmates from personal abuse, corporal punishment, personal injury, disease, property damage and harassment by other inmates or staff. Staff shall take reasonable actions to safeguard vulnerable inmates from others and shall use the classification policies and procedures to make housing decisions that will provide for inmate safety. Abuse of inmates by staff or other inmates will not be tolerated.

The Jail Commander or the authorized designee shall be responsible for including prohibitions against inmate abuse and harassment, rules regarding respect for the property of others, and the prevention of disease in the inmate handbook. All inmates shall receive a copy of the inmate handbook during the booking process.

606.3 RESPONSIBILITY

It shall be the responsibility of all facility staff to adhere to policies, procedures and practices, and to make every reasonable effort to prevent inmate injury, harassment and abuse, to prevent theft or damage to inmate property and to eliminate conditions that promote disease. These procedures include, but are not limited to:

- Following the classification guidelines for inmate housing.
- Closely supervising inmate activities and interceding as needed to prevent violence, harassment or abuse of inmates.
- Using force only when necessary and to the degree that is reasonable.
- Reporting all inmate injuries, investigating the cause of reported injuries and documenting these efforts in an incident report.
- Enforcing all rules and regulations in a fair and consistent manner.
- Preventing any practice of inmates conducting kangaroo courts or dispensing discipline toward any other inmate.
- Conducting safety checks of all inmate housing areas, at a minimum of every hour, on an irregular schedule.
- Checking all safety equipment for serviceability and making a report of any defective equipment to the appropriate supervisor or Jail Commander.

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Inmate Rights - Protection from Abuse

- Referring sick or injured inmates to a qualified health care professional without unnecessary delay.
- Maintaining high standards of cleanliness throughout the jail.
- Documenting all abuse protection efforts in facility logs and incident reports as applicable.

Foreign Nationals and Diplomats

607.1 PURPOSE AND SCOPE

This policy addresses the privileges and immunities afforded to members of foreign diplomatic missions and consular posts.

This policy also addresses the legal requirements related to consular notifications that should occur when a foreign national is in custody.

607.1.1 DEFINITIONS

Definitions related to this policy include:

Foreign national - A person who is not a citizen of the United States. A person with dual-citizenship, U.S. and foreign, is not a foreign national.

Immunity - Refers to various protections and privileges extended to the employees of foreign governments who are present in the U.S. as official representatives of their home governments. These privileges are embodied in international law and are intended to ensure the efficient and effective performance of their official missions (i.e., embassies, consulates, etc.) in foreign countries. Proper respect for the immunity to which an individual is entitled is necessary to ensure that U.S. diplomatic relations are not jeopardized and to maintain reciprocal treatment of U.S. personnel abroad. Although immunity may preclude U.S. courts from exercising jurisdiction, it is not intended to excuse unlawful activity. It is the policy of the DOS Office of Foreign Missions (OFM) that illegal acts by Foreign Service personnel should always be pursued through proper channels. The host country's right to protect its citizens supersedes immunity privileges. Peace officers may intervene to the extent necessary to prevent the endangerment of public safety or the commission of a serious crime, regardless of immunity claims.

607.2 POLICY

The Kings County Sheriff's Office Jail will treat foreign diplomatic and consular personnel with due regard for the privileges and immunities to which they are entitled under international law. The Office will investigate all claims of immunity and accept custody of the person when appropriate.

The Kings County Sheriff's Office Jail will also honor the laws related to foreign nationals in custody by making proper consular notifications and by assisting those who wish to contact their consular representative.

607.3 DIPLOMATIC AND CONSULAR IMMUNITY

607.3.1 AVAILABILITY OF RESOURCES

The Shift Supervisor will ensure that current contact information for the U.S. Department of State and the U.S. Mission to the United Nations is readily available for office members who need to verify a claim of diplomatic or consular immunity. Relevant material for law enforcement published by the U.S. Department of State Bureau of Diplomatic Security should be readily available as well.

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607.3.2 ADDRESSING CLAIMS OF DIPLOMATIC OR CONSULAR IMMUNITY

When an arrestee who claims diplomatic or consular immunity is brought to the Kings County Sheriff's Office Jail the receiving deputy shall first inform the Shift Supervisor and then generally proceed as follows:

- (a) Do not accept custody of the person from the transporting deputy. The person should not be brought inside the Kings County Sheriff's Office Jail unless doing so would facilitate the investigation of his/her claim of immunity.
- (b) Do not handcuff the person, or, if handcuffs have been applied, remove them unless there is an articulable threat that would justify their use.
- (c) If the person has already been accepted into custody, inform the person that he/she will be detained until his/her identity and immunity can be confirmed. Attempt to obtain a U.S. Department of State-issued identification card or other identification or documents that may relate to the claimed immunity.
- (d) In all cases, verify the status and level of immunity by contacting the U.S. Department of State or the U.S. Mission to the United Nations, as appropriate.

It will be the responsibility of the Shift Supervisor to communicate the claim of immunity to the on-duty supervisor of the arresting office (if not the Kings County Sheriff's Office). The Shift Supervisor may assist another agency in determining the person's immunity status.

The Shift Supervisor is responsible for ensuring appropriate action is taken based upon information received regarding the person's immunity status.

607.3.3 REPORTING

If the person's immunity status has been verified, the Shift Supervisor should ensure a report is prepared describing the details and circumstances of any detention or custody. A copy of the report should be faxed or mailed as soon as possible to the U.S. Department of State in Washington, D.C. or to the U.S. Mission to the United Nations in New York in cases involving a member of the United Nations community.

607.4 CONSULAR NOTIFICATIONS

607.4.1 CONSULAR NOTIFICATION LIST AND CONTACTS

The Jail Commander will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to office members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be faxed and then retained for the record. Prominently displayed placards informing inmates of rights related to consular notification should also be posted.

607.4.2 CONSULAR NOTIFICATION ON BOOKING

Office members assigned to book inmates shall:

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- (a) Inform the foreign national, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them. Members shall ensure this notification is acknowledged and documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
- (c) If the foreign national's country is not on the list for mandatory notification but the foreign national requests that his/her consular officers be notified, then:
 - 1. Notify the nearest embassy or consulate of the foreign national's country of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
 - 2. Forward any communication from the foreign national to his/her consular officers without delay.
- (d) If the foreign national's country is on the list for mandatory notification, then:
 - 1. Notify the nearest embassy or consulate of the foreign national's country, without delay, of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
 - 2. Tell the foreign national that this notification has been made and inform him/her without delay that he/she may communicate with his/her consular officers.
 - 3. Forward any communication from the foreign national to his/her consular officers without delay.
 - 4. Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the inmate's file.

Members should never discuss anything with consulate personnel beyond the required notifications, such as whether the inmate is requesting asylum. Requests for asylum should be forwarded to the Shift Supervisor.

607.4.3 HONORARY CONSULS

Honorary consuls are part-time employees of the country they represent and are either permanent residents of the U.S. or U.S. nationals (unlike career consular officers, who are foreign nationals on temporary assignment to the U.S.). Honorary consuls may be arrested and detained. Limited immunity for official acts may be available as a subsequent defense. Family members have no immunity.

607.5 IDENTIFICATION

All diplomatic and consular personnel who are entitled to immunity are registered with the DOS and are issued distinctive identification cards by the DOS protocol office. These cards are the best

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means of identifying Foreign Service personnel. They include a photograph, identifying information and, on the reverse side, a brief description of the bearer's immunity status. These identification cards are not always promptly issued by the DOS.

In addition to the DOS identification card, Foreign Service personnel should also have a driver's license issued by the DOS Diplomatic Motor Vehicle Office (DMVO), which in most circumstances replaces the operator's license issued by the state. Additionally he/she may have California credentials issued by the California Emergency Management Agency (Cal EMA).

607.6 PROCEDURE

Inmates who are identified as foreign nationals should be advised of their rights regarding consular notification and access at the time of booking. The booking deputy shall:

- Determine the foreign national's country.
- Determine if the inmate's country is a mandatory notification country.
- Notify that country's nearest consular officials, without unreasonable delay, of the arrest/detention.
- Notify the foreign national that the notification is being made to his/her consulate office.
- If the inmate's country is not on the mandatory notification list, offer to notify the proper consulate of the arrest/detention without delay.
- Record in the official inmate booking document the notification and actions taken, including notification refusals by inmates from non-mandatory notification countries.

Disciplinary Separation

608.1 PURPOSE AND SCOPE

This policy specifically addresses disciplinary separation and guiding principles relating to the conditions attached to that separation. It will provide guidance to the staff on acceptable practices with regard to management of inmates in disciplinary separation or classified as requiring special management needs.

608.1.1 DEFINITIONS

Definitions related to this policy include:

Disciplinary separation - A status assigned to an inmate after a disciplinary hearing in which the inmate was found to be in violation of a jail rule or state or federal law. This status results in separating the inmate from the rest of the inmate population to serve the consequence imposed.

608.2 POLICY

The Kings County Sheriff's Office will maintain a disciplinary separation unit to house inmates who, after an impartial due process hearing, are being sanctioned for violating one or more jail rules. Restrictions on privileges will be subject to the disciplinary process and in accordance with this policy.

608.3 DISCIPLINARY SEPARATION

Inmates may be placed into disciplinary separation only after an impartial hearing to determine the facts of the rule violation, in accordance with the office Inmate Discipline Policy. The hearing officer shall impose discipline in accordance with the discipline schedule established by the Jail Commander. Maximum discipline sanctions for any one incident, regardless of the number of rules violated, shall not exceed 60 days.

Disciplinary separation in excess of 30 days shall be reviewed by the Jail Commander before the discipline is imposed. The review shall include a consultation with health care staff. Such reviews shall continue at least every 15 days thereafter until the disciplinary status has ended. These reviews shall be documented (15 CCR 1082(g); 15 CCR 1083(a)).

608.4 INMATE ACCESS TO SERVICES

The ability to discipline inmates for conduct violations is not absolute. Absent legitimate government reason, inmates continue to have a right to receive certain services. However, inmates in disciplinary separation, in accordance with the Inmate Discipline Policy, or special management inmates who are disciplined for one or more rule violations, may be subject to loss of privileges or credit for good time and work.

Services to provide for basic human needs must continue to be made available. There are minimum service requirements that must be maintained to ensure the facility continues to operate in a constitutional manner. All custody staff will adhere to the following policy sections to guide

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them in the supervision of inmates held in disciplinary separation or classified as requiring special management needs.

608.4.1 MEDICATION, CLOTHING, AND PERSONAL ITEMS

Inmates placed in disciplinary separation are considered special management inmates and shall not be denied prescribed medication.

Special management inmates will be provided with clothing that identifies their status, but in no case will this clothing be used to intentionally disgrace the inmate.

Absent unusual circumstances, special management inmates will continue to have the same access to personal items in their cell as general population inmates have, including the following:

- Clean laundry
- Barbering and hair care services
- Clothing exchanges
- Bedding and linen exchanges

Inmates in disciplinary separation shall not be deprived of bedding or clothing except in cases where the inmate destroys such articles or uses them to attempt suicide (15 CCR 1083(b)). The decision to continue to deprive the inmate of these articles must be made by the Jail Commander or the authorized designee and reviewed every 24 hours.

608.4.2 SHOWERING AND PERSONAL HYGIENE

Inmates in disciplinary separation should be allowed to shower with the same frequency as the general inmate population, if reasonably practicable, but at a minimum shall be afforded the opportunity to shower at least every other day and shave daily (15 CCR 1083(e)). The opportunities for each inmate to shave and shower will be documented on the disciplinary separation unit log.

Exceptions to this policy can only be made when the restriction is determined to be reasonably necessary for legitimate government purposes. Any exceptions to this basic requirement must be reviewed and approved by the Shift Supervisor. The circumstances necessitating a restriction must be clearly documented on the unit log.

608.4.3 DENIAL OF AUTHORIZED ITEMS OR ACTIVITIES

Personal items may be withheld when it reasonably appears that the items will be destroyed by the inmate or it is reasonably believed that the personal item will be used for a self-inflicted injury or to harm others.

Whenever an inmate in disciplinary separation is denied personal care items or activities that are usually authorized to the general population inmates, except for restrictions imposed as a result of a disciplinary hearing, the deputy taking such action shall prepare a report describing the circumstances that necessitated the need to restrict personal items or activities. The report shall

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be submitted to a supervisor for review, who will then forward it to the Jail Commander. A copy of the report shall be placed in the inmate's file.

608.4.4 MAIL AND CORRESPONDENCE

Inmates in disciplinary separation shall have the same privileges to write and receive correspondence as inmates in general population, except in cases where inmates violated correspondence regulations. In such cases, mail privilege may be suspended. The Jail Commander or the authorized designee shall approve all mail privilege suspensions that exceed 72 hours. Legal mail shall not be suspended from delivery to the inmate (15 CCR 1083(h)).

608.4.5 VISITATION

Inmates in disciplinary separation shall have the same opportunities for visitation as general population inmates, except when the visitation privileges are suspended pursuant to a sanction imposed by the disciplinary hearing officer. Disciplinary sanctions that limit or curtail visitation must be clearly documented and approved by a supervisor if not a condition of the original approved discipline.

608.4.6 READING AND LEGAL MATERIALS

Inmates in disciplinary separation shall have the same access to reading materials and legal materials as the general population inmates, unless the restriction is directed by a court of law or there is a reasonable basis to believe the materials will be used for illegal purposes or pose a direct threat to the security and safety of the facility. In such cases the basis for the action shall be documented in the inmate's file and unit log. Access to courts and legal counsel shall not be suspended as a disciplinary measure (15 CCR 1083(i)).

608.4.7 LIMITED TELEPHONE PRIVILEGES

Inmates in disciplinary separation may have their telephone privilege restricted or denied. Exceptions include the following:

- (a) Making legal calls
- (b) Responding to verified family emergencies, when approved by the sergeant or Jail Commander

All telephone access based on the above exceptions shall be documented on the unit log.

608.4.8 BEDDING AND CLOTHING

Inmates in disciplinary separation shall not be deprived of bedding or clothing except in cases where the inmate destroys such articles or uses them to harm him/herself or others or for something other than the intended purpose. Clothing and bedding shall be returned to the inmate as soon as it is reasonable to believe the behavior that caused the action will not continue. The decision to continue to deprive the inmate of these articles must be made by the Jail Commander or the authorized designee and reviewed at least every eight hours. This review shall be documented and placed into the inmate's file.

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608.5 DISCIPLINARY SEPARATION DIET

Under no circumstances will an inmate be denied food as a means of punishment (15 CCR 1083(f)). A disciplinary separation diet may only be used for major violations of jail rules (15 CCR 1083(g)). No inmate receiving a prescribed medical diet is to be placed on a disciplinary separation diet without review and written approval of a physician or pursuant to a written plan approved by the physician. Disciplinary separation diets shall be served twice during each 24-hour period and must meet statutorily prescribed minimum food and nutritional requirements as described in the Disciplinary Separation Diet Policy.

Before any inmate is placed on a disciplinary separation diet, the following shall occur:

- (a) The physician shall review the medical condition and history of the inmate and approve the alternative meal service.
- (b) The Jail Commander shall review the incident report and medical reports and shall approve the use of a disciplinary separation diet.
- (c) Custody and medical staff shall monitor these special circumstances and report their observations to the Jail Commander.
- (d) Disciplinary separation diets shall not be served in any case for more than 72 hours without the written approval of the Jail Commander and a physician.

608.6 MENTAL HEALTH CONSIDERATIONS

Due to the possibility of self-inflicted injury and depression during periods of separation, health evaluations should include notations of any bruises and other trauma markings and the provider's comments regarding the inmate's attitude and outlook.

- (a) A qualified health care professional should also conduct weekly rounds.

When an inmate is classified as a special management inmate due to the presence of a serious mental illness and is placed in a separation setting, the mental health progress notes and management plan should reflect the changed environment. When an inmate is expected to remain in separation for more than 30 days (based upon disciplinary decisions, protective needs or other factors) the special management treatment plan should be updated to reflect this.

Where reasonably practicable, a qualified health care professional should provide screening for suicide risk following admission to the separation unit.

ADA Policy

609.1 PURPOSE

This policy provides guidelines for addressing the needs and rights of inmates detained by the Detentions Division, in accordance with the Americans with Disabilities Act ("ADA") and other federal and state laws. This policy also applies to visitors, volunteers, and attorneys at facilities operated by the Detentions Division.

609.1.1 POLICY

Discrimination on the basis of a disability is prohibited. The Detentions Division will take reasonable steps to ensure that inmates, visitors, and volunteers are not refused participation in services, programs, or activities on the basis of a disability, except when to do so poses a direct threat to the health or safety of anyone.

609.2 DEFINITIONS

ASSISTIVE DEVICE: Any device used by a person with a disability, which aids him or her in the performance of day to day activities (e.g., walker, cane, FM loop).

DISABILITY: A physical or mental impairment that limits one or more major life activities. These include, but are not limited to, any condition that would limit the mobility of an individual substantially, or any impairment of vision, hearing, or speaking. The ADA expressly excludes certain behaviors, orientations, and conditions from the definition of "disability." (See 42 U.S.C. § 12211.)

MAJOR LIFE ACTIVITIES: Basic functions that the average person can perform with little or no difficulty, such as caring for oneself, seeing, hearing, moving, reading, communicating, thinking, working, or performing essential functions like eating or using the toilet.

PROSTHESIS: A device used to replace a defective or missing part of the body.

REASONABLE ACCOMMODATION: An adjustment to the system to enable a person with a disability to participate in a government program on the same terms (or as near as possible to the same terms) as an individual without the same disability, without causing the government agency responsible for providing that adjustment significant difficulty and expense in light of the resources available to the agency.

SERVICE ANIMAL: An animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or

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other mental disability. In limited circumstances described in federal ADA regulations, a miniature horse may be a service animal. (28 C.F.R.

§ 35.136(i).) Otherwise, only a dog may be deemed a service animal. The work or tasks performed by a service animal must relate directly to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of this definition, but the following types of activities do constitute work or tasks: alerting a person with panic disorder of the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, reminding individuals with depression to take medications, and helping people with brain injury to locate misplaced items or follow daily routines.

TELECOMMUNICATION DEVICE FOR THE DEAF ("TDD")/TELETYPEWRITER ("TTY"): A machine that employs graphic communication in the transmission of coded signals through a wire or radio communication system, used by those with hearing impairments or the deaf.

609.3 IDENTIFYING THE NEED FOR ACCOMMODATIONS

IV. The determination that an inmate requires an accommodation will be made in any of the following ways:

a. Health care staff determines at booking that an inmate has a disability that requires accommodation. This determination may be made based upon information self-reported by the inmate or by physical examination. As part of any routine physical exam that occurs as part of the booking process, each inmate should be asked whether he or she has a disability that requires accommodation. More information about procedures health care staff should follow in identifying inmates with disabilities is described in Paragraph VI below.

b. Health care staff determines after booking that an accommodation is necessary. More information about procedures health care staff should follow in identifying inmates with disabilities is described in Paragraph VI below.

c. An inmate requests an accommodation in writing, subject to the following procedures:

- The inmate shall be assisted by custody personnel, if requested, to place the accommodation request in writing.

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- If a deputy receives a written request for an accommodation, he or she should refer the request to the on-duty supervisor as soon as possible. If the requested accommodation is minor or informal and will not affect jail operations or threaten any person's safety or security, the on-duty supervisor should direct that the request be honored as soon as practicable, and should ensure that the request is forwarded to medical staff for inclusion in the inmate's records to facilitate the implementation of the accommodation on an ongoing basis.

- If the requested accommodation is not minor or informal, the request should be referred to the Jail Commander or his or her designee, who may, as appropriate, consult with health care staff and County Counsel to determine whether the requested accommodation is necessary and appropriate. The inmate may also be referred to medical staff if a medical evaluation would be helpful in determining the need for the requested accommodation.

- Generally, a request should be honored if the accommodation sought will not: (1) impose a significant financial burden, (2) pose a safety concern, and (3) affect the orderly operation of the jail. A determination to deny an accommodation request for any of these reasons should be made using substantially the same procedure described below in Paragraph VII.e.

- Minor requests of a temporary nature (such as a request for extra tissue if an inmate has a cold), do not need to be made in accordance with these guidelines.

Nothing in this paragraph authorizes medical staff to share with custody or other County personnel protected medical information that such personnel otherwise are not privileged to know.

609.4 CUSTODY PERSONNEL RESPONSIBILITIES

a. The Jail Commander or designee will do the following:

- Ensure that staff has adequate training to assist disabled inmates with major life activities. (See Paragraph III above for the definition of "major life activities.") For example, if an inmate has a mobility impairment and requires occasional lifting, staff should receive appropriate training in safely lifting the inmate. Depending upon the circumstances, that training could be provided by health care personnel, other custody personnel who by training and experience are qualified to provide such training, certain first responders, or outside professionals. Absent an emergency, inmates should not be relied upon to provide assistance of this nature or other accommodations.

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- When feasible, and if necessary to provide a specific essential service to an inmate with a disability (e.g., specialized physical therapy that existing healthcare personnel are not qualified to provide), enlist or contract for trained personnel to provide the service. If a referral to a service provider is needed, health care personnel, Kings County Behavioral Health, and/or the Central Valley Regional Center may be consulted, as appropriate.

- Pursuant to 15 C.C.R. § 1057, if it appears that an inmate is developmentally impaired, contact the Central Valley Regional Center (www.cvrc.org) within 24 hours, excluding holidays and weekends, to assist with diagnosis and/or treatment. Examples of developmental disabilities include autism, mental retardation, Down's syndrome, traumatic brain injury, and adaptive behaviors that are abnormally low relative to other inmates. Adaptive behaviors encompass conceptual, social, and practical skills, including skills such as knowing how to bathe, tell time, or otherwise care for oneself. Typically identification of inmates with developmental disabilities would be done by health care personnel at or near the time of booking. However, development disabilities often are apparent to the average layperson, and custody personnel with a reasonable suspicion at any time that an inmate may have a developmental disability should alert the Jail Commander or designee and/or health care personnel.

- Ensure the jail is designed or adapted to provide reasonable accommodations to inmates. At a minimum, this includes:

- Access to TDD/TTY for inmates who are deaf, hard of hearing, or speech-impaired.
- If orientation videos are used to explain facility rules to newly admitted inmates, subtitles may be displayed on the video presentation to assist inmates who have impaired hearing.
- Some cells and dormitories should be equipped with wheelchair accessible toilet and shower facilities. Inmates with physical disabilities should be allowed to perform personal care in a reasonably private environment.
- Tables designed for eating should be accessible to those in wheelchairs.

b. General Custody Personnel Responsibilities:

- Custody personnel should work with health care professionals to aid in making accommodations for those with physical disabilities. Jail medical staff shall provide daily reports identifying specific accommodations required by particular inmates, and custody personnel should be trained to obtain and rely on these reports. Such reports will identify accommodations only, and not medical conditions.

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- Custody personnel should assist inmates in making requests for accommodations, as described in Paragraph IV.c above.

Deputies deputy Deputies deputies deputy jail

609.5 INMATE HEALTH CARE COMMUNICATIONS

a. PURPOSE AND SCOPE: The purpose of this section is to establish and maintain effective communication between the treating health care providers and custody personnel. This communication is essential at all levels of the organization to ensure the health and safety of all occupants of the facility.

b. POLICY: It is the policy of this office that effective communication shall occur between the Jail Commander, or designee and the treating health care professionals regarding any significant health issues of an inmate. All health issues should be considered during classification and housing decisions in order to preserve the health and safety of the occupants of this facility.

When a health care provider recognizes that an inmate will require accommodation due to a medical or mental health condition, custody personnel shall be promptly notified in writing.

Specifically, a notation should be entered into the inmate's health record from which a daily report can be generated identifying all inmates who require accommodations due to disabilities.

Custody personnel should be trained to obtain and rely on these reports, as indicated above in Paragraph V.b.

c. MANAGING INMATES WITH SPECIAL NEEDS: Upon an inmate's arrival at the facility, the health care staff should determine whether the inmate has a disability or other special health care need.

- If health care staff determines that an inmate has a special need relating to the housing of the inmate, appropriate documentation should be sent to classification personnel, the shift supervisor, and the housing officer to ensure that the inmate is recommended for the housing unit best equipped to meet the inmate's needs.

- Nursing personnel should arrange for the appropriate follow-up evaluation.

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- The health care of special needs inmates should be continuous and ongoing. At minimum, the inmate should be seen by a physician, nurse practitioner, or physician assistant once every 90 days to evaluate his or her continued designation as an inmate with special needs.
- Inmates who have been determined by medical or mental health staff to require a special needs classification should be seen at least once monthly by a medical or mental health staff member.
- Anytime an inmate with special needs is transported in a vehicle, if the inmate requires specialized medical transportation or special accommodations relating to vehicle transport, with ample prior notice, a medical transfer summary should be completed detailing any special requirements that should be considered while the inmate is in transit and upon his or her arrival at the destination. Discharge planning should be included, as appropriate.
- If deemed medically appropriate by health care personnel, a treatment plan for an inmate with special medical needs should be developed by such personnel, which should include:
 - The frequency of follow-up for medical evaluation and anticipated adjustments of the treatment modality.
 - The type and frequency of diagnostic testing and therapeutic regimens.
 - When appropriate, instructions about diet, exercise, adaptation to the correctional environment, and prescribed medications.
 - When deemed clinically indicated by health care personnel, health care personnel and custody personnel should consult regarding the condition and capabilities of inmates with known medical and/or psychiatric illnesses or developmental disabilities prior to any of the following:
 - Housing assignment, when clinically indicated;
 - Program or job assignment;
 - Admissions to, and transfers from or between medical centers or other detention facilities, whether or not operated by Kings County; and
 - Disciplinary measures for mentally ill patients.
- Health and custody personnel should communicate about inmates who require special accommodation. These include, but are not limited to, inmates who are:

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- Chronically ill;
- Undergoing dialysis;
- In an adult facility, as an adolescent;
- Have communicable diseases;
- Physically disabled;
- Pregnant;
- Frail or elderly;
- Terminally ill;
- Mentally ill or suicidal; and
- Developmentally disabled.

NOTE: In communicating about inmates' medical needs, all medical privacy laws shall be followed. Thus, for example, although it typically would be appropriate for health care personnel to communicate with custody personnel about the nature of an accommodation required by an inmate, it usually would not be appropriate to identify the specific diagnosis necessitating the accommodation.

609.6 ASSISTIVE DEVICES AND OTHER ACCOMMODATIONS

a. TDD/TTY MACHINES: Hearing impaired inmates shall be afforded the opportunity to use a TDD/TTY machine for the purpose of making a telephone call. These inmates shall have access to a TDD/TTY machine during visits and when programmed for day room activities, which is when inmates generally are allowed use of the telephone. Inmates may be charged for use of the TDD/TTY machine, but not more than other inmates are charged for use of the telephone.

b. ACCOMMODATIONS FOR DEAF INMATES OR INMATES WHO ARE HEARING IMPAIRED:

· When feasible, inmates who are deaf and reliant upon American Sign Language ("ASL") as their primary means of communication shall be afforded the use of a sign language interpreter at no cost to the inmate: (a) to communicate with attorneys, (b) for the purpose of medical diagnosis and treatment, (c) to defend themselves in disciplinary proceedings, (d) to exercise grievance rights, and (e) in other appropriate circumstances at the discretion of the Jail Commander or designee.

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- If the use of a TDD/TTY device would fully accommodate the needs of the inmate to communicate effectively with another person, such device may be made available in lieu of ASL interpretation.

- Absent an emergency, custody personnel may not rely on other inmates as ASL interpreters. However, at the discretion of custody personnel, another inmate may interpret if requested by the inmate requiring translation. Furthermore, absent a direct threat determined according to the procedures described below in Paragraph VII.e, inmates who are deaf or hearing impaired and communicate through ASL shall not be forbidden from using ASL to communicate with other individuals, including other inmates.

- If a hearing impaired inmate does not respond for an appointment, visit, meal, or day room use time, the housing unit deputy will make reasonable efforts to follow up with the inmate as soon as practicable to ensure that the inmate does not wish to attend the event.

c. ACCESS TO SHOWER CHAIRS: All inmates with documented/identified mobility difficulties or who for some other reason are at legitimate risk of injury while standing in the shower shall be provided with the use of ADA approved shower chairs.

d. DENTAL AND MEDICAL PROSTHESES, EYE GLASSES, AND OTHER MEDICAL EQUIPMENT:

- Notwithstanding the anti-surcharge policy stated in Paragraph XIII below, to the same extent that inmates may be required to provide co-payment for other medical services, inmates may be required to provide co-payment for durable medical equipment and eye glasses provided by health care providers while detained in the jail.

- All assistive devices belonging to the Detentions Division shall be identified as County property.

- A medical equipment inventory form shall be completed by the intake deputy for all medical equipment issued to the inmate, regardless of who owns the property.

- Upon release of an inmate, the releasing deputy shall review the medical equipment issued to the inmate and contact the medical clinic for instructions regarding any County owned assistive device.

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· In addition to other requirements of this Policy regarding assistive devices and direct threat determinations, custody personnel shall at all times comply with Penal Code section 2656, which states as follows:

(a) A person sentenced to incarceration or who is being held pursuant to a pending criminal matter in a county or city jail, or other county or city custodial correctional facility shall not be deprived of the possession or use of any orthopedic or prosthetic appliance, if such appliance has been prescribed or recommended and fitted by a physician.

(b) If, however, the person in charge of the county or city custodial or correctional facility has probable cause to believe possession of such orthopedic or prosthetic appliance constitutes an immediate risk of bodily harm to any person in the facility or threatens the security of the facility, such appliance may be removed.

If such appliance is removed, the prisoner shall be deprived of such appliance only during such time as the facts which constitute probable cause for its removal continue to exist; if such facts cease to exist, then the person in charge of the facility shall return such appliance to the prisoner.

When such appliance is removed, the prisoner shall be examined by a physician within 24 hours after such removal.

If the examining physician determines that removal is or will be injurious to the health or safety of the prisoner, he shall so inform the prisoner and the person in charge of the facility. Upon receipt of the physician's opinion, the person in charge of the facility shall either return the appliance to the prisoner or refuse to return such appliance to the prisoner, informing the physician and the prisoner of the reasons for such refusal and promptly providing the prisoner with a form, as specified in subdivision (c) of this section, by which the prisoner may petition the superior court of the county in which the facility is located for return of the appliance.

Upon petition by the prisoner, the court shall either order the appliance returned to the petitioner or within two judicial days after the petition is filed receive evidence relevant to the granting or denial of the petition. When evidence is received, the court shall consider the opinion of the physician who examined the prisoner and the opinion of the person in charge of the facility and all other evidence it deems relevant. A decision shall be promptly made and shall be based upon a weighing of the risk of immediate harm to persons within the facility and the threat to the security of the facility created by the appliance's presence in the facility as against the risk to the health and safety of the petitioner by its removal.

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(c) The form for a request for return of an orthopedic or prosthetic appliance as required in subdivision (b) of this section shall be substantially as follows:

(Name of the facility) _____ day of _____ [20] ____

I, _____ (person in charge of the facility), have today received a request for the return of an orthopedic or prosthetic appliance, namely, _____ (description of appliance or device) from the undersigned prisoner.

Signature or mark of prisoner making request for return of appliance or device

When the prisoner has signed or made his mark upon such form, the person in charge of the facility shall promptly file the completed form with the superior court.

- As alternatives to providing a prisoner with an opportunity to petition the court for the return of a device in accordance with Penal Code section 2656, subdivision (b), consideration shall be given to transferring the prisoner to an appropriate medical detention facility or, with physician or dentist approval, modifying the assistive device to meet the medical needs of the inmate and safety and security needs of the facility.

- Once an assistive device has been approved for use, health care staff shall enter the authorization into the inmate's health file. If the inmate requires special housing relating to the need for the assistive device, health care staff shall document this in writing and notify custody and classification personnel appropriately. Health care staff shall also document the general condition of the device and have the inmate sign the medical record that he or she received the device.

- Any assistive devices that are brought to the facility by family members or others after the inmate has been incarcerated shall be subject to a security check.

- The facility shall accept no responsibility for loss or damage to any assistive device.

- Any repair or replacement of any assistive device owned by an inmate shall be the responsibility of the inmate. If the repair is medically necessary and the inmate is indigent, funds for the repair

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shall be sought through the Inmate Welfare Fund. Repair or replacement of any assistive device owned by the Detentions Division that is damaged through intentional or grossly negligent misuse by the inmate to whom the device is assigned may be billed to the inmate to the same extent that inmates generally are held liable for destruction of County property.

e. **DIRECT THREAT DETERMINATIONS:** The provision of a reasonable accommodation may be denied if the accommodation poses a direct threat to the health or safety of any person. Except as otherwise specified in this Policy, a direct threat determination shall be made using the following procedure:

- An imminent threat may be eliminated by any reasonable means, but in such cases the reasonable accommodation will be resumed within 24 hours (or as soon as practicable thereafter), unless a formal direct threat determination is made.
- Formal direct threat determinations are made by the Jail Commander or designee.
- A formal direct threat determination shall be made in consultation with health care staff and County Counsel, and shall be documented on a form created for this purpose by County Counsel. The direct threat determination form shall be appended to any related incident report, and an appropriate record of both shall be made in the jail management system.
- An inmate can grieve a direct threat determination using existing inmate grievance processes.
- At such time that a direct threat is eliminated, the reasonable accommodation shall be resumed.

609.7 INMATE HOUSING

a. Every effort shall be made to provide inmates with mobility impairments with accessible cells, showers, and dining facilities, as necessary. In the event that such facilities are not available to an inmate, the Jail Commander or designee shall be notified promptly in writing, and best efforts to provide the inmate with accessible accommodations shall be made as soon as possible. Until such accommodations become available, every reasonable effort shall be made to assist the inmate in performing major life functions within the limitations of the accommodations available.

d. In accordance with 28 C.F.R. § 35.152, custody personnel shall ensure that inmates or detainees with disabilities are housed in the most integrated setting appropriate to the needs of the individuals. Unless it is appropriate to make an exception, custody personnel shall not —

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- Place inmates or detainees with disabilities in inappropriate security classifications because no accessible cells or beds are available;
- Place inmates or detainees with disabilities in designated medical areas unless they are actually receiving medical care or treatment;
- Place inmates or detainees with disabilities in facilities that do not offer the same programs as the facilities where they would otherwise be housed; or
- Deprive inmates or detainees with disabilities of visitation with family members by placing them in distant facilities where they would not otherwise be housed.

Any decision to make an exception to the above requirements shall be made using substantially the same procedure described above in Paragraph VII.e.

609.8 WORK PROGRAMS

a. The Sheriff's Office ("Office") oversees work programs, including an inmate trustee program where inmates are assigned jobs in and around the jail, as well as an alternate sentencing program in which individuals convicted of crimes perform community service in lieu of going to jail.

b. If it is discovered that a worker in the trustee program or alternate sentencing program experiences difficulty in performing his or her assigned job by reason of a disability, the following procedures shall be followed:

(1) If the worker is enrolled in the alternate sentencing program and is assigned to work with a community partner that is not a County department, then the Office will inquire from the community partner whether and to what extent the community partner is willing and able to accommodate the worker. If the community partner cannot accommodate the worker, then the procedure described below in subparagraph (3) shall apply.

(2) If the worker is assigned to a County department or agency, using the position analysis questionnaire for the most similar County position as a guide, a determination shall be made as to whether the worker can perform the essential functions of the job. If so, minor adjustments will

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be made to the worker's job, as necessary. If the worker cannot perform the essential functions of the job, then the procedure described below in subparagraph (3) shall apply.

(3) If it is determined that a worker cannot continue in his or her originally assigned position, then a good faith effort shall be made to locate a position with a willing County department or community partner for which the worker would be suited. Non-manual jobs may be considered for this purpose, but the nature of the crime for which the worker is being punished may be considered in deciding whether she or he is qualified for a particular position. For example, an individual convicted of check fraud may be excluded from positions of trust where the individual would have the opportunity to extort funds. If no position is identified, then all efforts to identify a position shall be documented carefully, and the worker shall be advised of the lack of available positions.

c. If it is known before an inmate or alternate sentencing program participant is placed in any position that she or he has a disability that will limit his or her ability to perform certain job functions, then reasonable efforts will be made, consistent with the procedures described above, to place that individual in a position for which she or he can perform all essential functions.

c. Potential participants in the alternative sentencing program shall receive written notice as soon as possible that job assignments typically involve manual labor, and that job specifications for jobs to which workers may be assigned with County departments are available for review upon request or online.

609.9 INMATE TRANSPORTATION

Reasonable accommodations will be made in transporting inmates with disabilities.

609.10 DISCIPLINARY AND GRIEVANCE PROCEDURE

a. Forms relating to inmate grievances may be used to file grievances relating to the ADA, and inmates shall be advised of the same.

b. Forms and other materials relating to grievances and discipline shall be made available in alternative formats upon request.

c. As necessary, custody personnel shall assist inmates with reading and completing forms relating to discipline and grievances.

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d. Appropriate assistance and accommodations shall be provided in disciplinary proceedings to ensure that inmates with disabilities have the same opportunity as other inmates to understand the nature of the accusations against them and to defend themselves.

609.11 RETALIATION

Retaliation of any kind directed at an inmate for exercising his or her rights under the ADA shall not be tolerated.

609.12 ANTI-SURCHARGE POLICY

No inmate may be charged a fee to defray or reimburse the County for the cost of providing reasonable accommodations required by the ADA.

609.13 SERVICE ANIMAL POLICY

a. Except as otherwise specified herein, if an inmate is booked into the jail with an animal claimed to be a service animal, the inmate will be permitted to retain the animal in jail if the animal fits the definition of "service animal" in Paragraph III above. If it is unclear whether an animal meets this definition, the following questions may be posed to the inmate, but no other documentation or explanation may be requested:

- (1) Is the animal required because of your disability?
- (2) What work or tasks has the animal been trained to perform?

b. A service animal may be excluded if it: (1) is out of control, (2) is not housebroken, or (3) otherwise poses a direct threat to the health, safety, or security of the jail or any person. A service animal may also be excluded if the service it provides is unnecessary in the jail environment.

For example, an animal trained to remind an inmate to take medication may be unnecessary for an inmate whose medication is brought to him or her daily by health care staff. The decision to exclude a service animal shall be made in consultation with health care personnel and County Counsel, pursuant to the direct threat procedures outlined above in Paragraph VII.e. If it is necessary to exclude a service animal, house arrest or community supervision shall be considered as alternatives to incarceration if legal and practicable.

c. If a service animal is excluded and an alternative to incarceration is not available or appropriate, the owner shall be allowed to designate a family member or friend into whose custody the animal will be given during the inmate's incarceration. If no caretaker is designated, the animal shall be cared for by Animal Services. Animal Services shall document on the animal's cage and in any files relating to the animal that it is an inmate's service animal and, absent a legitimate health and

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safety necessity (e.g., the animal contracts rabies), should not be destroyed without the owner's permission.

d. A service animal at all times shall be under its handler's control on a leash, harness, or other tether unless the nature of the disability or the work performed by the animal prevents tethering, in which case the animal must be kept under control by means of voice control, signals, or other means. The inability of the animal to be kept under control by one of the foregoing means shall per se constitute a direct threat.

e. Jail staff shall not be responsible for the care and supervision of a service animal except on terms similar to those under which staff would be responsible for other property of an inmate.

f. An inmate shall not be surcharged for the use of a service animal, and during the period of the inmate's incarceration the County shall be responsible for the cost of the animal's care. However, to the extent that inmates are held responsible for the cost of any damage they cause to public property during periods of incarceration, inmates with service animals may be held responsible for the cost of any damage to public property caused by those animals.

609.14 COMPLIANCE WITH 28 C.F.R. § 115.16

The Detentions Division shall comply with 28 C.F.R. § 115.16, which states that:

(a) The agency shall take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the agency shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision. An agency is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act, 28 CFR 35.164.

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(b) The agency shall take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

(c) The agency shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations.

609.15 VISITORS

a. A visitor requiring a reasonable accommodation during a visit shall request the accommodation from the Jail Commander, or designee at the time the visit is scheduled, and the request shall be honored if feasible.

b. TDD/TTY machines may be used to facilitate communication between visitors and inmates with hearing impairments.

c. Visitors shall be allowed to bring service animals into areas of the facility where public access is allowed. The rights of visitors with respect to service animals shall be consistent with the policy stated at Paragraph XIV above, except that direct threat determinations may be made informally given the brief duration of visitors' attendance at the facility.

609.16 VOLUNTEERS AND ATTORNEYS

All attorneys and volunteers shall be afforded the same rights and privileges under the ADA as the public.

Inmate Access to Courts and Counsel

610.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the constitutional rights of inmates to access the courts and legal counsel, while holding inmates accountable to the rules and regulations that govern conduct in this facility. The staff at every level is reminded the fundamental constitutional right of access to courts does not end when a person is incarcerated.

610.2 POLICY

It is the policy of this office that all inmates will have access to the courts and the ability to consult with legal counsel (15 CCR 1068).

610.3 INMATE ACCESS

Staff should not unreasonably interfere with inmates' attempts to seek counsel and where appropriate should assist inmates with making confidential contact with attorneys and authorized representatives.

Access to courts and legal counsel may occur through court-appointed counsel, attorney or legal assistant visits, telephone conversations or written communication. To facilitate access, this facility will minimally provide:

- Confidential attorney visiting areas that include the means by which the attorney and the inmate can share legal documents.
- Telephones that enable confidential attorney-client calls.
- Reasonable access to legal materials.
- A means of providing assistance through the court process by individuals trained in the law. This assistance will be available to illiterate inmates and those who cannot speak or read English or who have disabilities that would impair their ability to access.
- Writing materials, envelopes and postage for indigent inmates for legal communications and correspondence.

The Jail Commander shall be responsible for ensuring that information regarding access to courts and legal counsel and requesting legal materials or legal assistance is included in the inmate handbook, that is provided during inmate orientation.

610.4 CONFIDENTIALITY

All communication between inmates and their attorneys is confidential, including telephone conversations, written communication and video conferencing. The content of written attorney-client communication will not be reviewed or censored but the documents may be inspected for contraband.

Inmate Access to Courts and Counsel

Outgoing and incoming legal correspondence shall be routed through the staff, who will inspect confidential documents and who are accountable for maintaining that confidentiality. Incoming legal correspondence shall be opened and inspected for contraband in the presence of the recipient inmate.

Inmates may seek the assistance of other inmates in writing writs and other legal correspondence to the courts, when needed subject to the security and safety needs of the inmates, staff and the facility.

610.5 INMATE REQUEST FOR ASSISTANCE

Habeas corpus forms shall be made available to any inmate by the staff upon request.

Legal forms filled out by the inmate shall be forwarded to court administration directly or via an appointed legal assistant.

610.5.1 WRIT OF HABEAS CORPUS

When an inmate has a Writ of Habeas Corpus complete and ready to submit to the court they can request one copy to be made for them to retain.

The process for this is:

- (a) The inmate will submit a request slip to Jail staff requesting a copy to be made of his/her Writ of Habeas Corpus.
- (b) The Deputy receiving the request slip will retrieve a 9x12 manila envelope and deliver the envelope to the inmate on the same day that the request slip was received so that the Writ of Habeas Corpus may be placed inside. The Deputy will take the envelope and make one copy of the original Writ of Habeas Corpus. The deputy will return all documents to the inmate including the 9x12 envelope within 24 hours.
- (c) Upon the inmate's receipt of the envelope containing the original and copied Writ of Habeas Corpus, the envelope will be secured/sealed in the presence of the inmate and the Deputy will legibly write their name and identification number on the envelope across the seal. The Deputy will create a log in Spillman to document that a copy was made and provided to the inmate. The documentation will include the date and time the inmate was provided a copy of the Writ of Habeas Corpus.
- (d) The inmate will then place the sealed envelope in the available secured mailbox for pick up.
- (e) Mail Room staff picks up all mail. Legal mail will be processed according to proper procedures.

Inmate Access to Courts and Counsel

610.6 VISITATION RELATED TO LEGAL DEFENSE

Visits with inmates that are related to legal defense, including attorneys, paralegals and investigators, will be permitted only in the areas designated for legal visitation or by way of video visitation to assure confidentiality (15 CCR 1068(b)). Contact visits may be approved by the Jail Commander for special circumstances.

- (a) Visits shall be of a reasonable length of time to discourage any allegation the defense of the inmate was hindered due to the length of time allowed for the legally authorized visit. These visits shall be of such a length of time that they do not interfere with the security, order and discipline of this facility. The permissible time for visitation should be flexible but shall not substantially interfere with other facility schedules, such as medical examinations, meal service or other required activities.
- (b) Only materials brought to this facility by an approved legal assistant shall be allowed.
- (c) All materials shall be subject to security inspections by the staff and shall be routed through the Shift Supervisor for logging and distribution.

610.7 MAIL

Inmates are authorized to mail, at their own expense, all legal correspondence and materials (Title 15 CCR § 1068(a)). Postage may be supplied by the office or inmate services for indigent inmates.

The Jail Commander or the authorized designee working with the Office's legal counsel shall develop a mail screening policy and assign designated staff members to conduct security inspections to verify that only authorized legal materials are being mailed. The security inspections of all mail shall be conducted prior to the contents being sealed and in the presence of the inmate.

MAIL PROGRAM Mail will be picked up and delivered daily except Saturday, Sunday and holidays. All incoming and outgoing mail will be screened for contraband, money, etc., excluding mail addressed to attorneys and the courts.

Incoming Mail

Incoming mail is delivered to Central Control at the King Jail on a daily basis excluding weekends and holidays. After the jail staff receives the mail, the following process will be completed:

Mail delivered by Central Services is picked up at Central Control and taken back to the Mail Room where all mail will be checked to see if the addressee is still in custody. If not, the mail will be marked "return to sender" and returned to the Post Office.

If the addressee is still in custody, their cell number will be written on the front of the envelope.

All mail will be opened and inspected for contraband and threats to institutional security. All postage stamps will be removed prior to delivering the mail. (Do not remove postage stamps until the mail is deemed acceptable).

When mail coming into the jail contains contraband or is deemed unacceptable then the following procedure applies:

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1. The front of the envelope in which the mail was received will be photocopied.
2. The copy as well as the original envelope will be stamped "UNACCEPTABLE MAIL", the inmates name and cell location will be provided on the copy. The copy will be sent back to the inmate.
3. All mail will be placed back in the stamped envelope along with a small notice explaining that the contents were unacceptable and therefore returned to sender. A phone number will be provided for the sender to call should they have questions.

Note: Staff will not sort out unacceptable mail. If a letter is received and the envelope also contains stickers or stationary, then the entire contents will be returned to sender, letter and everything. The inmate will only receive a copy of the envelope indicating that the contents were unacceptable. Mail will be separated according to cell and delivered by mailroom staff or the appointed designee.

Outgoing Mail

a Outgoing mail will be picked up by mailroom staffdeputiesMonday through Friday excluding weekends and holidays. All outgoing mail must be in the unit mailbox and left unsealed and must have a complete return address visible on the front of the envelope. The inmate may seal mail that is addressed to attorneys or the courts with. On a continuous basis the jail staff will, when time is available, conduct the following procedures:

- (1) Screen the mail for contraband and/or threats to institutional security.
- (2) Seal the envelopes after screening and sort the mail into local and out of town mail.
- (3) Place the sorted mail in Central Control for pickup by Central Services. Central Services will deliver the mail to the Post Office.
- (4) No inmate mail will be sent out if graffiti or drawings of any kind exist on the envelope.

Pro Per Inmates

611.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the parameters of the rights of inmates to access legal supplies and services, either for the purposes of representing themselves in a legal action (i.e., acting in pro per), accessing the courts, or corresponding with legal counsel.

611.2 POLICY

It is the policy of this office to provide or make available legal supplies or services to inmates incarcerated in the Kings County Jail, subject to reasonable restrictions.

611.3 TYPES OF MATERIALS AND SERVICES TO BE MADE AVAILABLE TO PRO PER INMATES

The following is a list of the materials and services to be made available to inmates, regardless of whether an inmate has been granted the right to represent him or herself in a criminal action, is representing him or herself in another type of legal action, or desires to access these supplies and services to access the courts or correspond with legal counsel.

- 1) Sufficient pleading paper to draft legal documents. For purposes of this policy, legal documents are defined as documents to be submitted to or filed with any court, including documents that are intended to be used as exhibits or attachments to any documents to be submitted to or filed with a court.
- 2) Access to a pen to draft legal documents.
- 3) Access to a notary public to authenticate legal documents for court proceedings as required by a rule of court, statute, or regulation.
- 4) Access to stamps or postage to mail legal documents.
- 5) Access to certified or registered mail, as available, to serve legal documents, if required by a rule of court, statute, or regulation.
- 6) Right to consult with other individuals, including other inmates, on how to draft legal documents or present claims to the courts. This includes the right of the inmates to have another inmate or individual draft a document of the inmate's behalf, subject to the drafter and the inmate signing the document as appropriate.
- 7) Adequate access to the law library services available in the Kings County Jail. Inmates with pending court dates or upcoming filing deadlines shall be given priority in accessing law library services.
- 8) Ability to purchase or receive copies or printouts of legal citations, case law, legal guides or practice books, or any other material made available through the Jail's law library.

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9) Ability to purchase or receive copies of legal documents, including, but not limited to legal documents drafted by the inmate.

611.4 INMATES REPRESENTING THEMSELVES IN CRIMINAL PROCEEDINGS

Background

Defendants in a criminal action have a constitutional right to counsel. If an individual cannot afford private counsel, counsel must be provided to him or her at the expense of the County. An individual also has the right to choose to represent him or herself in a criminal proceeding. In order for an individual to represent him or herself in a criminal proceeding, he or she must be granted that right by the Court and make a knowing and intelligent waiver of the right to counsel, as explained in *Faretta v. California* (i.e., a Faretta waiver).

Self-representation in a criminal proceeding requires a court order. A copy of the order must be provided to the Jail before an inmate can access legal supplies and services as a pro per inmate in a criminal proceeding and shall be maintained in the inmate's file or in any other relevant facility files. Once an inmate has been granted pro per status in a criminal proceeding, unless the Court orders otherwise, legal supplies and services are to be made available to the inmate under this policy without charge as part of the inmate's right to an indigent defense, even if the inmate has sufficient funds in his or her account to purchase supplies.

Supplies to be made available to a pro per inmate in a criminal proceeding

Inmates granted pro per status in a criminal proceeding may receive the following legal supplies once per month without charge, unless otherwise ordered by the Court:

- 40 pages of pleading paper.
- 50 pages of writing paper.
- 2 pens.
- A pencil.
- A sharpener.
- One legal-sized accordion file. Accordion files are limited to one accordion file per inmate per case unless otherwise ordered by the Court or approved by the Jail Commander or his or her designee.
- Business envelopes or 9" x 12" or 10" x 14" manila envelopes for mailing legal documents, as requested from staff.

Services to be made available to a pro per inmate in a criminal proceeding

Inmates granted pro per status in a criminal proceeding may access the following services:

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- 1) Copies of one (1) legal document per day. For purposes of this policy, legal documents are documents to be submitted to or filed with any court, including documents that are intended to be used as exhibits or attachments to any documents to be submitted to or filed with a court. In the event an inmate needs to exceed this amount, the inmate shall obtain an order of the Court. A copy of this order shall be maintained in the inmate's file or in any other relevant facility records.
- 2) Five (5) pages of printouts of legal research materials per law library session, unless otherwise ordered by the Court. A copy of the order permitting the printout of additional pages shall be maintained in the inmate's file or in any other relevant facility records.
- 3) Access to a notary public to authenticate legal documents, if ordered by the Court. Inmates shall be limited to the services of a notary public once per week, unless otherwise ordered. A copy of the order for notary services shall be maintained in the inmate's file or in any other relevant facility records.
- 4) Access to certified or registered mail to serve or mail documents, if ordered by the Court. A copy of the order for the use of certified or registered mail services shall be maintained in the inmate's file or in any other relevant facility records.

Additional legal supplies and services

Inmates representing themselves in a criminal proceeding may request the provision of additional legal supplies and services without charge from the Court. Additional legal supplies and services will not be provided without charge absent a court order outlining the type(s) and scope of supplies or services to be provided.

If a criminal pro per inmate does not have a court order authorizing additional legal supplies or services, the inmate may purchase the additional legal supplies and services through Commissary if he or she has sufficient funds in his or her account. Inmates may also purchase legal books and materials from outside of the facility. Books or materials purchased from outside the facility shall be subject to a safety inspection and facility rules regarding the types and number of items permitted to be in an inmate's possession.

Individuals appointed to assist an inmate proceeding in pro per

In addition to receiving legal supplies and services in the Jail, inmates representing themselves in criminal proceedings may have a back-up attorney, paralegal, or investigator appointed by the Court to assist the inmate in his or her self-representation. The appointment must be made by the Court through a written order naming the appointed individual and the scope of services or assistance to be provided to the individual. A copy of the court order appointing an individual to assist the inmate shall be retained in the inmate's records or other relevant facility records.

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Inmates shall be allowed to confer with the individual appointed to assist them in confidence as needed, subject to valid searches of the individual's person and property for the possession of weapons or contraband or any other items that compromise the security of the Jail.

Abuse or misuse of legal supplies or services

Inmates abusing or misusing their pro per status, supplies, or services, including the use of an individual to assist the inmate in his or her self-representation, will be reported to the Jail Commander or his or her designee for possible suspension or restriction of the inmate's access to supplies and services. A suspension or restriction will only be imposed if the inmate's abuse or misuse of his or her pro per status, supplies, or services constitutes a legitimate threat to the safety and security of the facility.

In the event the Jail Commander or his or her designee determines a suspension or restriction of the inmate's access to supplies or services is necessary to ensure the safety and security of the facility, the reasons for the suspension or restriction will be provided to the inmate and the Court in writing, along with a date by which the suspension or restriction will end.

An inmate may petition the Court if dissatisfied with the decision of the Jail Commander or his or her designee.

611.5 INMATES REPRESENTING THEMSELVES IN NON-CRIMINAL PROCEEDINGS

Background

Individuals incarcerated in a detention facility retain the right to access the courts. This right includes an inmate's right to initiate, pursue, and defend non-criminal legal actions, as well as access law library services, submit or file legal documents to a court, or correspond with legal counsel, even when not retained to represent the inmate in a legal action.

If an inmate decides to represent him or herself in a non-criminal legal action, he or she may do so without a court order and must be given access to legal supplies and services as necessary to represent him or herself, even before a legal action is initiated. However, since the inmate is not defending him or herself in a criminal proceeding, he or she is not entitled to legal supplies and services without charge unless the inmate is indigent. For purposes of this policy, an indigent inmate is one who has carried a balance of zero dollars in his or her account for the past ten (10) days.

Supplies and services to be made available to pro per inmates in non-criminal proceedings, to submit or file legal documents with a court, or correspond with legal counsel:

Inmates shall be given the ability to purchase or obtain legal supplies and services as outlined above, subject to the following limitations:

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- 1) Copies of legal documents and printouts of legal research materials shall be subject to a charge of five (5) cents per page. If the inmate is indigent, as defined above, this fee shall be waived.
- 2) Inmates are limited to obtaining a total of five (5) pages of printouts of legal research materials per law library session, unless the inmate can establish good cause for needing additional printouts. The decision to allow the printout of additional pages of legal research materials shall be made by the on-duty Administrative Senior Deputy or Sergeant.
- 3) Inmates shall be limited to obtaining one (1) copy of legal documents (i.e., documents to be submitted to or filed with any court, including documents that are intended to be used as exhibits or attachments to any documents to be submitted to or filed with a court) per day, unless otherwise needed to satisfy a filing deadline. In the event an inmate needs to exceed this amount, the inmate shall provide Jail staff with the reasons for the requested exception and provide the upcoming filing deadline, rule of court, procedure, statute, or regulation that produces the need for extra copies.
- 4) Inmate shall have access to a notary public to authenticate legal documents, if required through a court order, statute, rule, or regulation. Inmates shall be limited to the services of a notary public once per week, unless otherwise ordered. If ordered by the court, a copy of the order for notary services shall be maintained in the inmate's file or in any other relevant facility records.
- 5) Inmates may purchase up to four (4) pens to draft legal documents. Indigent inmates may receive up to two (2) pens to draft legal documents without charge. Any inmate wishing to purchase or obtain additional pens must provide staff with the unusable pen(s) prior to receiving a new pen(s). Pens shall be returned to Jail staff if requested due to misuse (i.e., to make tattoos or graffiti an inmate's cell or a common area) or to ensure the safety and security of the Jail.
- 6) Inmates may purchase envelopes and stamps for mailing legal documents through commissary services. Staff will provide indigent inmates representing themselves in a non-criminal matter with the correct envelopes for mailing legal documents as demonstrated by need.
Staff shall send legal documents being mailed by indigent inmates to General Services for metering and the application of sufficient postage.
- 7) If needed to serve legal documents, inmates may mail legal documents through either certified or registered mail, as available, and upon payment of the fee as set forth in the current pricing list.
Indigent inmates may obtain certified or registered mail services to mail legal documents based on a demonstrated need without charge. Any inmate requesting certified or registered mail must present proof to Jail staff of the need to send a legal document via certified or registered mail.
Proof must be provided in the form of a court order, rule of court, statute, procedure, or regulation.
- 8) Inmates may purchase legal books and materials from outside of the facility. Books or materials purchased from outside the facility shall be subject to a safety inspection and facility rules regarding the types and number of items permitted to be in an inmate's possession.

Abuse or misuse of legal supplies or services

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Pro Per Inmates

Inmates abusing or misusing their pro per status, supplies, or services will be reported to a Jail Lieutenant for possible suspension or restriction of the inmate's access to or possession of supplies and services. A suspension or restriction will only be imposed if the inmate's abuse or misuse of his or her pro per status, supplies, or services constitutes a legitimate threat to the safety and security of the facility.

In the event a Jail Lieutenant determines a suspension or restriction of the inmate's access to supplies or services is necessary to ensure the safety and security of the facility, the reasons for the suspension or restriction will be provided to the inmate, along with a date by which the suspension or restriction will end.

The inmate may appeal a decision of a Jail Lieutenant to suspend or restrict his or her access to pro per supplies or services to the Jail Commander. The decision of the Jail Commander is final.

Inmate Voting

612.1 PURPOSE AND SCOPE

This policy establishes the requirement for providing eligible inmates the opportunity to vote during elections, pursuant to election statutes.

612.2 POLICY

Inmates who have not been convicted of a felony and are in custody during trial continue to have the right to vote. Except for individual inmates who have lost the right to vote, sentenced inmates also maintain this right. Because inmates are unable to access public voting polls, the Jail Commander or the authorized designee shall develop written procedures whereby the county registrar of voters allows qualified inmates to vote in local, state and federal elections, pursuant to election codes (15 CCR 1071).

Inmates should be advised of voting methods during the inmate orientation.

612.3 VOTING REQUIREMENTS

Inmates maintain their right to vote while incarcerated if they are:

- (a) A citizen of the United States.
- (b) A resident of the county.
- (c) At least 18 years of age at the time of the next election.
- (d) Not been declared mentally incompetent by a court.
- (e) Awaiting or on trial for a criminal offense.
- (f) Serving time for a traffic or misdemeanor offense or as a condition of probation.
- (g) Not convicted of a felony offense and sentenced to serve time in a state prison.
- (h) Not on parole as a result of a felony conviction.

612.4 PROCEDURES

This is to establish a procedure to ensure an inmate's right to vote in local, state and federal elections.

A qualified inmate may register to vote while in custody by obtaining the proper registration form from the county clerk's office.

Inmates that are qualified may send a letter to the county clerk requesting an absentee ballot. This request must be no later than seven (7) days prior to the election.

Inmates may vote from their cell using absentee forms.

Mail to the county registrar (county clerk) will not be inspected prior to leaving the jail.

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Inmate Voting

Inmates that have questions can direct them to the Facility Manager or county registrar.

The county registrar can be contacted by writing to the County Clerk's Office, 1400 W. Lacey Blvd., Hanford, CA 93230.

No jail employee will do anything to infringe on the right of any citizen to vote.

612.4.1 REGISTERING TO VOTE

An inmate who is eligible to vote and requests to register should complete a voter application. The application should be submitted to the liaison deputy, who will forward the application to the local election official.

612.4.2 REQUESTING AN ABSENTEE BALLOT

An inmate who will be in custody during an election and requests to vote by absentee ballot should send a letter to the Registrar of Voters requesting an absentee ballot no later than seven (7) days prior to the submittal deadline .

612.4.3 VOTING

All ballots received shall be delivered to inmates in a timely manner to ensure compliance with the inmate's right to vote. Once the ballot has been delivered to the inmate, it shall be the responsibility of the inmate to mail his/her ballot in accordance with the state's voting requirements. If the inmate is indigent, the jail will mail the ballot; if not, the inmate is responsible for the postage.

Chapter 7 - Medical-Mental Health

Health Care Administrative Meetings and Reports

700.1 PURPOSE AND SCOPE

The Office recognizes that the delivery of effective health care requires open and frequent communication between NaphCare Incorporated, the responsible physician and the Jail Commander. This policy provides guidelines for the continuous monitoring, planning and problem resolution in providing health care that addresses the serious medical needs of the inmate population and prevents potential outbreaks of communicable and contagious illness.

700.2 POLICY

It is the policy of this facility that NaphCare Incorporated will meet with the Jail Commander at least quarterly. NaphCare Incorporated shall be required to submit a report addressing the effectiveness of the health care system, a description of any environmental or access issues that require improvement, and detail any progress that has been made in previously reported areas. The quarterly meeting will be documented through formal minutes, shall include the names of attendees, a list of the topics discussed, and shall be retained in accordance with established records retention schedules.

The data for the quarterly report should be gathered by NaphCare Incorporated via monthly meetings with all facility Shift Supervisors and responsible physicians. The monthly meetings should cover the following topics:

- Health care services
- Quality improvement findings
- Infection control efforts
- Inmate grievances
- Environmental inspections report

700.2.1 STATISTICAL REPORTS

In addition to the quarterly report described above, a statistical report will be provided annually to the Jail Commander. The statistical report will be prepared by NaphCare Incorporated and shall include, but not be limited to, the following (Title 15 CCR § 1202):

- (a) The number of inmates receiving health services by category of care
- (b) The number of referrals to specialists
- (c) Prescriptions written and medications dispensed
- (d) Laboratory and x-ray tests completed
- (e) Infirmary admissions, if applicable

Health Care Administrative Meetings and Reports

- (f) On-site and off-site hospital admissions
- (g) Serious injuries or illnesses
- (h) Deaths
- (i) Off-site transports
- (j) Infectious disease monitoring
- (k) Emergency services provided to inmates
- (l) Dental visits provided
- (m) Number of health care grievances by category (e.g., medication error, missed appointment, health staff complaint) and whether the grievance was founded or unfounded

It is the responsibility of the Jail Commander to ensure that copies of the statistical reports and documentation of any remedies implemented are retained in accordance with established records retention schedules.

Access to Health Care

701.1 PURPOSE AND SCOPE

The provision of adequate health services in a custody setting is a constitutional right afforded to all inmates. The purpose of this policy is to provide custody personnel and qualified health care professionals with a process to inform newly booked inmates of the procedure to access health care services and how to use the grievance system, if necessary.

701.2 POLICY

It is the policy of this office that all inmates, regardless of custody status or housing location, will have timely access to a qualified health care professional and receive a timely professional clinical judgment and appropriate treatment.

The Kings County Sheriff's Office facility will provide medical, dental and mental health services as necessary to maintain the health and well-being of inmates to a reasonable and socially acceptable standard (15 CCR 1200 et seq.; 15 CCR 1208).

701.3 ACCESS TO CARE

Inmate medical requests will be evaluated by qualified health care staff. Health care services will be made available to inmates from the time of admission until such time as they are released from this facility and this information will be posted for easy access to all inmates (15 CCR § 1200 et seq. and 15 CCR § 1208). When appropriate, a limited supply of medications will be called in to inmate's pharmacy and referrals will be made to community health care providers upon the inmate's release.

Unreasonable barriers shall not be placed on an inmate's ability to access health services. Such unreasonable barriers include:

- Punishing inmates for seeking care for their serious health needs.
- Assessing excessive co-payments that prevent or deter inmates from seeking care for their serious health needs.
- Deterring inmates from seeking care for their serious health needs by scheduling sick call at unreasonable times.

Any incident of an inmate refusing medical treatment or causing a disruption in the delivery of health care services shall be documented in an incident report. The original incident report shall be forwarded to the health services administrator and a copy sent to the Jail Commander.

701.4 HEALTH CARE GRIEVANCES

Custody personnel should authorize and encourage resolution of inmate complaints and requests on an informal basis whenever possible. To the extent practicable, custody personnel should provide inmates with opportunities to make suggestions to improve programs and conditions.

Access to Health Care

Inmates will be informed of the grievance process during inmate orientation. The grievance process is also explained in the inmate handbook, which all inmates receive and which they should have additional access to in their housing units. Grievances will be handled in accordance with the Inmate Grievances Policy (15 CCR 1073(a)).

Custody personnel should minimize technical requirements for grievances and allow inmates to initiate the grievance process by briefly describing the nature of the complaint and the remedy sought. For simple questions and answers regarding clinical issues, inmates may meet with a qualified health care professional or may submit a written correspondence.

Inmate grievances regarding health care issues will be investigated by an uninvolved member of the medical staff. If no such person is available or does not exist, an outside peer should be sought to investigate the grievance. The inmate should be provided with a written response in accordance with the schedule set forth in the Inmate Grievances Policy. Responses to inmate grievances should be based on the community standard of health care.

Copies of grievances and the facility's response shall be sent to the Jail Commander, who, in consultation with the Responsible Physician or their designee, shall serve as the final authority in response to all inmate grievances.

If an inmate is not satisfied with the response, the inmate may appeal the grievance as outlined in the Inmate Grievances Policy.

701.5 POSTING AVAILABLE RESOURCES

A listing of telephone numbers for medical, dental, mental health and ambulance services shall be posted at the facility's medical area and in the primary staff control station, along with a schedule of availability.

Non-Emergency Health Care Requests and Services

702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a daily triage system of inmate requests for health care services. This is to ensure that the health needs of the population are addressed properly and in a timely manner.

702.1.1 DEFINITIONS

Access to care - Means that, in a timely manner, an inmate may be seen by a clinician, be given a professional clinical diagnosis and receive treatment that is ordered (National Commission on Correctional Health Care (NCCHC) Standards for Health Services in Jails, J-A-01).

Daily - Seven days a week, including holidays (NCCHC Standards for Health Services in Jails, J-E-07).

Sick call - The evaluation and treatment of an ambulatory patient in a clinical setting, either on- or off-site, with a qualified health care professional (NCCHC Standards for Health Services in Jails, J-E-07).

Clinical setting - An examination or treatment room appropriately supplied and equipped to address a patient's health care needs (NCCHC Standards for Health Services in Jails, J-D-03).

Triage - The sorting and classifying of health care requests to determine priority of need and the proper place for health care to be rendered (NCCHC Standards for Health Services in Jails, J-E-07).

702.2 POLICY

It is the policy of this office to provide daily access to qualified health care professionals or health-trained custody staff in order for inmates to request medical services (15 CCR 1200). All health care requests will be documented, triaged and referred appropriately by medical staff. Qualified health care professionals will conduct sick call and clinics for health care services on a scheduled basis to ensure a timely response to requests for medical services (15 CCR 1211).

The Responsible Physician, in coordination with the Jail Commander or the authorized designee, is responsible for developing a process that includes:

- (a) A process for inmates to request health services on a daily basis.
- (b) A priority system for health care services to acquire and address requests for routine health care, and for urgent or emergent injuries, illnesses and conditions.
- (c) Making health care request forms available in each housing unit and to all inmates upon request.
- (d) A system in which health care requests are documented, triaged and referred appropriately.

Non-Emergency Health Care Requests and Services

- (e) Restrictions that prohibit non-health services personnel from diagnosing or treating an illness.

702.3 COLLECTION OF HEALTH CARE REQUESTS

During the collection of health care requests from inmates, care should be taken to protect the confidentiality of the inmate and the nature of the health issue. The collector shall date and initial the request when the collection takes place. The requests shall be triaged to determine the priority of need and the proper place for health care to be delivered.

702.4 TRIAGE OF HEALTH CARE REQUESTS

Qualified health care professionals shall perform a daily triage. Sick call shall be available to inmates at least five days a week and shall be performed by a qualified health care professional.

Other qualified health care professionals should schedule inmates in need of specialized treatment for the next available providers' clinic. The wait for the next available providers' clinic should not exceed two days. The qualified health care professional shall document the referral in the providers' scheduling book and on the inmate's medical record.

The frequency and duration of sick call should be sufficient to meet the needs of the inmate population but should be conducted at least weekly by a qualified health care professional. If an inmate's custody status precludes attendance at sick call, arrangements shall be made to provide sick call services in the place of the inmate's detention (15 CCR 1211).

702.5 GUIDELINES FOR ELECTIVE PROCEDURES OR SURGERY

The Responsible Physician and the Jail Commander shall work cooperatively to develop guidelines that govern elective procedures or surgery for inmates. The guidelines must include decision-making processes for elective procedures or surgery that is needed to correct a substantial functional deficit or an existing pathological process that threatens the well-being of the inmate over a period of time. Any discussion of this nature with the inmate should be conducted in a language easily understood by the inmate and should be carefully documented in the inmate's medical record. This record should be maintained in accordance with established records retention schedules.

702.6 REQUESTS FOR OUTSIDE MEDICAL CARE

Inmates who request access to health care services outside the facility may do so with advance authorization from the Jail Commander or the authorized designee. The inmate shall be required to provide proof of sufficient private funds available to pay for all costs associated with transportation to the off-site facility and all costs associated with the medical services, diagnostics, treatment plans, medications or any other costs associated with off-site medical care.

Referrals and Coordination of Specialty Care

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for referring inmates who need health care or specialty care that is beyond the resources available in the facility. The policy includes guidelines regarding transportation under appropriate security provisions and the formulation of advance written agreements for around the clock or on-call availability of alternate services. Specialty care includes, but is not limited to specialist-provided health care, such as nephrology, surgery, dermatology and orthopedics.

703.2 POLICY

It is the policy of this office that inmates have access to necessary hospitalization and specialty services for serious medical needs. This facility will provide, either directly or through contracted sources, specialty care and emergency medical services to inmates when the need is determined by the Responsible Physician (15 CCR 1206(b); 15 CCR 1206(c)).

703.3 JAIL COMMANDER RESPONSIBILITY

The Jail Commander or the authorized designee, in coordination with the Responsible Physician, is responsible for establishing written agreements with outside specialty health care services for emergency and urgent care that is not available within the facility. In addition, a plan shall be developed for the secure transportation of inmates to a facility where such care is available.

703.4 REFERRAL TO OFF-SITE MEDICAL CARE

A qualified health care professional shall evaluate the inmate, and if indicated, shall recommend specialty appointments in writing on the order sheet in the inmate's medical record. A referral form should be completed and any supporting documentation attached. The written referral shall be reviewed and authorized, if appropriate, by the Responsible Physician.

A court order is generally required when an inmate requires medical or surgical treatment necessitating hospitalization. A court order is not required for an inmate in need of immediate medical or hospital care, but an application for a court order should be made as soon as practicable when the inmate's condition requires him/her to be gone from the facility more than 48 hours (Penal Code § 4011.5).

703.5 OFF-SITE COORDINATION

The qualified health care professional is responsible for recommending off-site medical and psychiatric care for inmates, coordinating outside appointments and notifying supervisory custody staff of off-site transportation needs. The Jail Commander should establish a written transportation procedure that ensures inmates are transported securely and in a timely manner for medical, mental health, dental clinic or other specialty appointments. The procedure shall include the secure transfer of medical information to the receiving health care service.

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Any conflicts that arise regarding off-site consultation trips will be communicated by the deputy responsible for transportation to the Responsible Physician and the Jail Commander or the authorized designee so that modifications may be made.

The jail supervisor shall keep a log of missed appointments to determine if transportation issues are impeding the ability of inmates to access appropriate medical care. Any issues identified shall be discussed and resolved between the Responsible Physician and the Jail Commander (15 CCR 1206(c); 15 CCR 1206(n)).

Emergency Health Care Services

704.1 PURPOSE AND SCOPE

The purpose of this policy is to establish plans and procedures for responding to medical emergencies in the facility after hours, and to define training requirements to educate staff to recognize inmates who are in need of emergency medical, dental or mental health services.

704.2 POLICY

It is the policy of this office that emergency medical, mental health and dental services are available 24 hours a day. These services may include off-site health care services.

704.3 PROCEDURES

The Jail Commander or the authorized designee shall work cooperatively with NaphCare Incorporated to develop plans and procedures for responding to emergency medical incidents that occur after normal business hours. The plans should include: on-site emergency first aid, basic life support and crisis intervention; emergency evacuation of an inmate from the facility, including security procedures to ensure an immediate transfer when appropriate; on-call physicians, dentists and mental health professionals and predetermined back-up providers; and the identification of primary, secondary and tertiary acute care facilities.

The plan may additionally include, but is not limited to, these components:

- (a) A health care staff member shall respond to all emergencies immediately upon notification.
- (b) An emergency on-call provider schedule is maintained in the health clinic.
- (c) Nursing staff shall respond by reporting to the area of the emergency with the necessary emergency equipment and supplies.
- (d) Emergency equipment and supplies shall be regularly maintained and accessible to the health care staff.
- (e) Most inmates will be stabilized on-site and then transferred to an appropriate health care unit, if necessary.
- (f) Notification of on-call physicians and mental health staff will be done as soon as the situation allows. After-hours notification is accomplished by pager or cell phone.
- (g) The health care staff will determine if the inmate needs to be transported to a local emergency room for treatment.
- (h) Facility staff will ensure a request for an ambulance has been made, if one is needed.

The goal of any emergency medical response plan is to provide emergency medical care to those in need, as expeditiously as possible. While facility size and patient proximity to the health care

Emergency Health Care Services

provider will vary, staff training will emphasize responding to medical emergencies within four minutes.

704.4 EMERGENCY PROCEDURES

The NaphCare Health Services Administrator or the authorized designee is responsible for ensuring the following information, equipment and personnel are available in the event an inmate requires emergency treatment (Title 15 CCR § 1206(c)):

- (a) A current list of names, addresses and phone numbers of all persons and agencies to be notified in an emergency. The list should be available to all health care staff at all times, and should be updated quarterly.
- (b) Emergency drugs, equipment and supplies should be readily available at all times and replenished after each use. An inventory control system should be in use to ensure the necessary supplies are present when needed and have not expired.
- (c) A physician and a mental health professional should be available on-call 24 hours a day, seven days a week, and there should be a back-up provider plan.
- (d) Ambulances should be accessed through the facility staff or by calling the appropriate emergency number. There should be a clear security plan in use for the transportation of inmates.
- (e) The Shift Supervisor will be contacted and informed of any emergency as soon as practicable.
- (f) All decisions regarding medical treatment and the need for emergency transportation are to be made by the health staff.
- (g) Whenever possible, the on-call provider should be notified prior to transporting the inmate to the hospital. However, in the event of a life- or limb-threatening emergency, the inmate shall be sent to the hospital in the most expedient way possible, which may require notifying the provider after the inmate has been transported.

704.5 FIRST-AID KITS

The NaphCare Health Services Administrator or the authorized designee is responsible for determining the contents, number, location and procedures for monthly inspections of all first-aid box in the facility, and for ensuring that an Automated External Defibrillator (AED) is available. The health services administrator shall also ensure that (Title 15 CCR § 1220):

- (a) The contents of each first-aid box are:
 - 1. Appropriate for its location and approved by the responsible physician.
 - 2. Arranged for quick use.
 - 3. Documented on the outside cover.
 - 4. Inventoried every month.

Emergency Health Care Services

5. Secured with a lock.
 - (a) Once the lock has been opened, the box should be taken to the medical unit so the contents can be inventoried and restocked with the missing contents.
 - (b) The AEDs are inspected/tested at a frequency consistent with manufacturer's recommendations to ensure functionality.
 - (c) Written protocols are developed for the use of medical supplies and equipment by non-medical personnel.
 - (d) Inspections and testing of supplies and equipment are documented and maintained in accordance with established records retention schedules.

704.6 TRAINING

TheNaphCare Health Services Administrator shall ensure that all health care staff members are trained in the delivery of emergency medical services in the custody environment during new employee orientation.

The Jail Commander or the authorized designee shall ensure that all facility staff members who have contact with inmates receive first-aid and basic life support training during new employee orientation, and that annual refresher training is conducted for the facility and health care staff. Training should include, but not be limited to:

- (a) The location of all emergency medical equipment and medications, and the proper use of the equipment, such as AEDs.
- (b) How to properly summon internal and external emergency services.
- (c) Recognition of basic life support signs and symptoms, and the actions required in emergency situations.
- (d) Administration of basic first aid.
- (e) Certification in Cardiopulmonary Resuscitation (CPR) in accordance with the recommendations of the certifying health organization.
- (f) Signs and symptoms of mental illness, violent behavior and acute chemical intoxication and withdrawal.
- (g) Procedures for inmate transfers to appropriate medical facilities or health care providers.
- (h) Suicide intervention techniques.

All records of the training provided, testing procedures and the results, and certificates achieved shall be maintained in each staff member's training file in accordance with established records

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retention schedules. NaphCare Incorporated should be bound by similar requirements in the contractual language between the Office and the vendor.

704.7 AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

The Responsible Physician or the authorized designee is responsible for ensuring that an Automated External Defibrillator (AED) is available in the facility and that all staff members are trained in its use. The AEDs shall be inspected and tested at a frequency consistent with the manufacturer's recommendations to ensure functionality.

Health Care for Pregnant Inmates

705.1 PURPOSE AND SCOPE

The purpose of this policy is to establish prenatal and postpartum health care services for inmates who are pregnant. Services may include assistance recovering from the effects of potentially unhealthy lifestyles, which could include tobacco use, alcohol and drug abuse or addiction, and a lack of previous adequate medical care. Because of unhealthy lifestyle choices prior to incarceration, many inmate pregnancies are classified as high-risk. This policy is intended to protect the health of the pregnant inmate and her fetus.

705.2 POLICY

It is the policy of this office that a qualified health care professional should provide comprehensive prenatal and postpartum care for all pregnant inmates during their incarceration, which includes, but is not limited to, the following:

- Pregnancy testing
- Prenatal care, both routine and high-risk if needed
- Management of drug or alcohol addicted pregnant inmates
- Comprehensive counseling and assistance services
- Nutrition modification for term of pregnancy and lactation
- Birthing in an appropriate setting
- Postpartum care
- Family planning education and services
- Access to privately funded pregnancy alternative options.

A qualified health care professional shall provide counseling and information to pregnant inmates regarding planning for their unborn child (15 CCR 1206(f); Penal Code § 4023.5).

705.2.1 ADVISEMENT AND COUNSELING

Inmates who are pregnant shall be advised of the provisions of this policy manual, the Penal Code and standards established by Board of State and Community Corrections related to pregnant inmates (Penal Code § 3407(e)).

705.3 BOOKING - PREGNANCY SCREENING

When processing female inmates at initial booking, the following steps shall be taken:

- (a) All females shall be asked at intake screening if they are pregnant. If the inmate states she is pregnant, a confirming urine test shall be performed within 48 hours and documented in the medical record.

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Health Care for Pregnant Inmates

- (b) Pregnant inmates who are under the influence of or withdrawing from heroin, methadone, benzodiazepines or alcohol shall have a medical check and consultation with the on-call or on-duty physician prior to being booked and housed.
- (c) Pregnant inmates who are 10 or more weeks gestation shall be scheduled for an obstetric clinic within 30 days.
- (d) A medical record shall be opened with a notation indicating pregnancy.
- (e) The inmate shall be interviewed for the following information, which shall be written in the medical record:
 - 1. Last menstrual period (LMP)
 - 2. Estimated date of conception (EDC)
 - 3. Estimated due date (40 weeks from EDC)
 - 4. Number of pregnancies (Gravidity)
 - 5. Number of live births (Parity)
 - 6. Therapeutic abortions (TAB)
 - 7. Spontaneous abortions (SAB), aka miscarriages
 - 8. Prenatal care history
 - 9. Current medications
 - 10. Any current adverse symptoms: vaginal bleeding or discharge, abdominal cramping or pain (if yes, notify on-site or on-call physician)
 - 11. High-risk factors if known: drug or alcohol use/abuse, smoking, previous pregnancy problems, other medical problems (cardiac, seizures, diabetes/DM, hypertension/HTN)
 - 12. If recent heroin or methadone use is identified, notify the on-site or on-call physician for orders.
- (f) Each pregnant inmate shall have:
 - 1. A completed medical recommendation form for a low bunk assignment, in a lower tier, with no waist chains, as appropriate.
 - 2. A completed special diet form ordering a pregnant diet.
 - 3. Prenatal vitamins prescribed at one per day for the duration of the pregnancy.
 - 4. An appointment at the next available obstetric clinic if the inmate is 10 or more weeks gestation.

Health Care for Pregnant Inmates

705.4 HOUSING

Inmates who are pregnant may be housed in any unit appropriate for their classification were they not pregnant, with the following exceptions:

- (a) All pregnant inmates identified at intake or the obstetric clinic to be high-risk or in their last trimester of pregnancy shall be housed in a special housing unit.
- (b) Housing in the special housing unit shall be by order of the obstetric specialist or the responsible physician.

705.5 COUNSELING AND TREATMENT

The Office will provide all necessary counseling and treatment to pregnant inmates to ensure they are receiving the proper care. To accomplish this, the following shall occur:

- (a) The directions of the obstetric specialist shall be followed throughout the pregnancy and postnatal period. No non-medical staff has the unilateral authority to change or overrule an order or care recommendation made by the Responsible Physician. The Jail Commander and Responsible Physician shall develop a process by which perceived conflicts between medical orders/recommendations and safety and security interests of the jail can be discussed and resolved. Ultimately, the jail must provide adequate treatment for an inmate's medical needs.
- (b) The Responsible Physician shall be consulted immediately if a patient is under 10 weeks gestation and has medical concerns.
- (c) Any pregnant inmate with medical problems that occur between scheduled obstetric appointments shall be seen by a qualified health care professional. If the qualified health care professional assesses the problem as urgent and a physician is not available on-site, the inmate shall be sent to the hospital for evaluation.
- (d) The inmate shall be advised to notify health-trained custody staff immediately of the following:
 - 1. Vaginal bleeding
 - 2. Acute, persistent abdominal or pelvic pain and/or severe cramping
 - 3. Leaking fluid
 - 4. Decreased or no fetal movement
 - 5. Headache or blurred vision
 - 6. Rapid weight gain with swelling (edema)
 - 7. Abnormal vaginal discharge
 - 8. Symptoms of a urinary tract infection (UTI)
 - 9. Fever

Health Care for Pregnant Inmates

- (e) Postpartum examinations and additional appointments shall be scheduled by the obstetric clinic as needed.
- (f) Any female prisoner shall have the right to summon and receive the services of any physician and surgeon of her choice in order to determine whether she is pregnant. The Jail Commander may develop reasonable rules and regulations governing the conduct of such examinations. If found to be pregnant, the prisoner is entitled to determine the extent of medical services needed, from providers with valid license to practice medicine, as long as she is able to pay for the expense of the private services. The rights provided in this section shall be conspicuously posted in at least one place to which all female prisoners have access (Penal Code § 4023.6).

705.6 RESTRAINTS

Inmates who are known to be pregnant or who are in labor shall not be placed in restraints except as provided in the Use of Restraints Policy.

705.7 ABORTIONS

Inmates who wish to terminate their pregnancy shall be referred to outside counseling services for further information regarding available options. The Office shall not impede the woman's access to abortion counseling or services, and shall provide necessary transportation and supervision to such services. Any financial obligations will be the responsibility of the inmate. These rights will be posted in all areas that house female inmates (Penal Code § 4028).

Inmate Medical Fees

706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide facility staff and qualified health care professionals with the information necessary to educate newly processed inmates on the procedures and their responsibilities for inmate medical fees at the time of intake.

706.2 POLICY

It is the policy of this office that all individuals booked into the facility shall be informed of the guidelines associated with medical co-payment fees. All inmates will be advised of the guidelines in writing during the orientation. This information will be conveyed in a language that is easily understood by the inmate.

The medical co-payment fee shall be waived for any service that is initiated by medical staff, including follow-up appointments, mandated health screening, work clearance and chronic care (Penal Code § 4011.2).

706.3 MEDICAL CO-PAYMENT GUIDELINES

- (a) Inmate initiated medical visits will result in a co-pay charge to the inmate of three dollars per visit.
- (b) Medical staff will complete a log of co-pay charges and forward the log daily to the custodial administration. The inmate's account will then be debited for the three dollars co-pay fee. The inmate shall be provided treatment regardless of his/her ability to pay the fee.
- (c) The following inmate health services shall be exempt from medical co-pay fees:
 - 1. Intake medical screening
 - 2. Health appraisals (14-day physicals)
 - 3. Public health evaluations
 - 4. Prenatal services and all services related to pregnancy
 - 5. Public health programs that are funded by other sources
 - 6. Laboratory and diagnostic services
 - 7. Life-threatening emergency services
 - 8. Follow-up monitoring of chronic health conditions (e.g. hypertension services, seizure monitoring, medication monitoring)
 - 9. Educational information on the inmate's condition
 - 10. When an assault requires medical attention

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Inmate Medical Fees

706.4 FEE APPEAL PROCESS

Inmates charged for health services shall be permitted to challenge the fee in accordance with the Inmate Grievances Policy (15 CCR 1073(a)).

Health Authority

707.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the responsibility of NaphCare Incorporated as arranging for all levels of health services, assuring the quality of all health services, identifying lines of medical authority for the inmate health program and assuring that inmates have access to all health services.

The policy also identifies the mission statement and the available services. It establishes properly monitored processes, policies, procedures and mechanisms to ensure that the contracted scope of services is adequately and efficiently delivered.

707.1.1 DEFINITIONS

Health authority - The physician, health services administrator or health agency responsible for providing all health services or coordinating the delivery of services from multiple providers.

Health care - Means the sum of all actions, preventive and therapeutic, taken for the physical and mental well-being of the inmate population. The term health care includes medical, both physical and psychological, dental, nutrition and other ancillary services, as well as maintaining safe and sanitary environmental conditions.

HIPAA - Health Insurance Portability and Accountability Act

707.2 MISSION STATEMENT

To provide compassionate, quality patient care to those individuals detained in the jail, while meeting the community standard for basic and emergency health care without regard to race, national origin, gender, religion or reason for incarceration, and with consideration for the patient's dignity and feelings.

707.3 POLICY

NaphCare Incorporated is responsible for and accountable for all levels of health care and who has the final authority regarding clinical issues within this jail. NaphCare Incorporated is responsible for establishing and implementing policies for all clinical aspects of the health care program and for monitoring the appropriateness, timeliness and responsiveness of care and treatment. NaphCare Incorporated also approves all medical decisions and protocols.

707.4 SELECTION PROCESS

The Sheriff or the authorized designee shall select a health authority using an existing Office procurement or selection process. The individual or organization selected shall be designated as the health authority for inmate health care on behalf of the facility.

Aside from any monetary or term considerations, the contract between the Office and the selected individual or organization shall, at minimum, include:

Health Authority

- (a) Language establishing the scope of services being contracted and the type of health care providers needed to deliver the services.
- (b) Job descriptions, minimum qualifications and performance expectations for contract personnel.
- (c) Language requiring the contractor to develop appropriate measures and review processes for assessing the quality, effectiveness and timeliness of the services provided and periodically reporting those findings to the facility.
- (d) Identification of a chief medical officer or director, who shall serve as the medical authority on treatment matters requiring medical expertise and judgment.
- (e) Language regarding the minimum frequency at which the health authority shall be present at the facility.
- (f) The roles and responsibilities of staff in ensuring that the contractor may adequately deliver services in a safe and secure environment.
- (g) A written plan for coordinating medical care from multiple providers.
- (h) A written plan for the collection and maintenance of inmate health records that is HIPAA compliant.
- (i) Identification of a dispute resolution process for the contracted parties and for inmates who may be questioning treatment plans.

The health authority shall be authorized and responsible for making decisions about the deployment of health resources and the day-to-day operation of the health services program. If the health authority is other than a physician, any final clinical judgments shall rest with a single, designated, responsible physician.

The health authority or the authorized designee will meet at least monthly with custody representatives to discuss the health care program and any issues that require correction or adjustment.

Security regulations are applicable to facility staff and health care personnel (Title 15 CCR § 1200(a)).

707.5 PROFESSIONAL STAFF

Qualified health care professionals include physicians, physician's assistants, nurses, nurse practitioners, dentists, mental health professionals and others who, by virtue of their education, credentials and experience, are permitted by law to evaluate and care for patients.

Nursing and other professional health care staff is responsible for delivering direct and indirect patient care services, pursuant to the direction of the chief medical officer or director. A physician will be available at all times for consultation.

Health Authority

If routine health services are provided by medical personnel outside this facility, all office policies regarding treatment, transfer, transportation or referral of emergencies shall be followed (Title 15 CCR § 1206 (c)).

707.6 PROVISION OF HEALTH CARE

NaphCare Incorporated is responsible for arranging the availability of health care services. The treating clinician shall determine what medical services are needed on a case-by-case basis. The Jail Commander shall provide the administrative support for making the health care services available to inmates. Clinical decisions are the sole province of the responsible clinician and should not be countermanded by non-clinicians. NaphCare Incorporated is responsible for ensuring that the health services manual complies with all applicable state and federal law and that a review is done annually (Title 15 CCR 1206 et seq.).

An annual audit of the quality and adequacy of health care services shall be done with corrective action taken when deficiencies are identified (Title 15 CCR § 1202).

Health Appraisals

708.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process for conducting health appraisals on all inmates within 14 days of their arrival at this facility and for the provision of ongoing health care for inmates who remain in custody for extended periods. It is to ensure the health care needs of the inmates are met.

708.1.1 DEFINITIONS

Health appraisal - A comprehensive health evaluation completed within 14 days of an inmate's arrival at the facility (National Commission on Correctional Health Care (NCCHC) Standards for Health Services in Jails, J-E-04).

Physical examination - An objective, hands-on evaluation of an individual. It involves the inspection, palpation, auscultation and percussion of a body to determine the presence or absence of physical signs of disease (NCCHC Standards for Health Services in Jails, J-E-04).

708.2 POLICY

It is the policy of this office that all inmates will receive a comprehensive health appraisal within 14 days of incarceration unless there is documented evidence that the inmate has received a health appraisal within the previous 90 days. In addition to the initial health appraisal, the inmate should have an annual evaluation to reassess his/her health status and to provide access to preventive medicine through education and lifestyle programs.

708.3 INITIAL HEALTH APPRAISAL

- (a) The correctional staff shall provide the health staff with a list of all inmates who have been in custody for 10 days. These inmates shall be appraised by health staff to include:
 - 1. Completion of the health history questionnaire.
 - 2. Administration of a skin test for tuberculosis (TB).
 - 3. Recording of height and weight.
 - 4. Recording of vital signs (blood pressure, pulse, respiration rate and temperature).
 - 5. Ordering other tests or examinations as appropriate.
- (b) Inmates shall be scheduled for a hands-on physical evaluation by a qualified health care provider (physician, mid-level practitioner or registered nurse) within 48 hours of arrival at the jail. The evaluation shall include:
 - 1. Review of the receiving screening.
 - 2. Review of the health history questionnaire.

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3. Review of all vital signs and TB skin test results.
4. A medical examination, including a review of mental and dental status.
5. Initiation of treatment or therapy, as appropriate.
6. Development and implementation of a treatment plan, including recommendations for housing, job assignment and program participation.

A physician shall review and authorize all health appraisals.

708.4 ANNUAL HEALTH EXAMINATIONS

The California Forensic Medical Group is responsible for determining the criteria for periodic health examinations for inmates. Inmates should be scheduled for an annual health examination within two weeks of the inmate's annual incarceration anniversary. The examination should include:

- A review of current vital signs and weight.
- A TB skin test and review of the results.
- An evaluation of any health-related issues arising since the last health evaluation.
- Initiation of treatment, as appropriate.
- Any updates to the inmate treatment plan.

Healthy Lifestyle Promotion

709.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the Office's commitment to promote healthy lifestyle choices by inmates by providing health education and inmate self-care learning opportunities that include classes, audio and video presentations and brochures and pamphlets.

709.2 POLICY

This office will encourage inmates to maintain a healthy lifestyle by providing health education and wellness information.

709.3 HEALTH CARE ENCOUNTERS

During health care encounters, the qualified health care professionals should instruct inmates at the time service is rendered on how to avoid preventable diseases, such as athlete's foot, flu and the common cold, tooth decay and sexually transmitted diseases. Such instruction should be documented in the health record. Documentation should include the topics discussed, the written materials provided, if any, and that the inmate acknowledged an understanding of the information.

Informative brochures from various health organizations should also be available to inmates in the medical unit.

Following are examples of appropriate topics for inmate education:

- Access to health care services
- Dangers of self-medication
- Personal hygiene and dental care
- Prevention of communicable diseases
- Education, smoking cessation
- Family planning
- Self-care for chronic conditions
- Self-examination for health concerns
- The benefits of physical fitness
- Chronic diseases and disabilities
- Counseling in preparation for release
- Domestic violence
- Medications
- Nutrition

Healthy Lifestyle Promotion

- Sexually transmitted diseases
- Substance abuse
- Tuberculosis

709.4 GENERAL HEALTH PROMOTION INFORMATION

Whenever possible, written materials, audio and video presentations should be made available to inmates for educational purposes. These materials are often available in bulk quantity through the public health department and other community-based organizations.

All items intended for distribution to the inmate population shall be approved by the Jail Commander to avoid any conflict with rules regarding contraband in the facility.

Classes may be conducted to inform the inmate on various healthy lifestyles. Class schedules should be posted in advance, curriculum and lesson plans developed, and attendance rosters maintained.

All documentation regarding health education and inmate self-care should be retained in inmate medical files in accordance with established records retention schedules. Statistics on program offerings and attendance may be used to determine program effectiveness and interest.

Transfer Screening

710.1 PURPOSE AND SCOPE

This policy recognizes that inmates are frequently transferred within the correctional authority's system and to facilities outside the system. This policy establishes a process for medical screening of transferred inmates to ensure continuation of care and to avoid unnecessary diagnostics.

710.2 POLICY

It is the policy of this office that inmates who are transferred to another jail, correctional system or health care facility will be screened prior to transfer to ensure that the receiving facility can assume and continue proper care. Medical needs of the inmate will be clearly communicated to the receiving facility, including the ongoing treatment plan, scheduled surgeries and outside appointments.

Inmates who are transferred to other facilities shall be sent with a discharge summary that includes information about the inmate's medical and mental health condition, the current treatment plan and any medications, if needed (15 CCR 1206(n)).

710.3 INTRA-SYSTEM TRANSFERS

All inmates being transferred to another facility within the King County Sheriff's Office correctional system will be screened by a qualified health care personnel to determine if the intended transfer location is equipped to handle the patient's health care needs.

The screening shall include the following considerations:

- (a) A determination of whether the inmate is being treated for a medical, mental health or dental problem.
- (b) A determination of whether the inmate has any apparent, current medical, mental health or dental needs or complaints.
- (c) What medication, if any, the inmate is presently prescribed.
- (d) Whether the inmate has any evidence of abuse or trauma.
- (e) Whether the inmate has any physical deformities or special daily living assistance needs.
- (f) The inmate's classification and clearance status (i.e., general population, segregation).
- (g) Whether the inmate has any scheduled treatments, surgeries or outside appointments.
- (h) If the receiving facility is not adequately suited to handle the inmate's medical care, the responsible physician shall be consulted and a suitable alternative should be sought.

Custody staff will provide a list of inmates scheduled for intra-system transfer to the health care department, giving the health care staff adequate time to complete the screening process. In the

Transfer Screening

event that an inmate is transferred to another facility before the transfer packet can be prepared, the transfer packet should be immediately assembled and transferred to the receiving facility.

After the health screening has been completed, the transfer list will be returned to custody for completion of the transfers. The medical files and all medication and supplies for each inmate will be delivered to the receiving area with the inmate. Medical files shall be placed in sealed envelopes to maintain confidentiality.

The transporting personnel shall document the transfer log with the date, time and name of the person receiving the inmate and his/her medical records.

Health records, completed screening forms and transfer logs shall be maintained by the facility in accordance with established records retention schedules.

710.3.1 EXTENDED TRANSPORTATION OF INMATES

When an inmate will be in transfer status for several days and housed temporarily at various custody facilities along the way, a medical transfer packet shall be prepared by the qualified health care professional in a form that will advise the temporary housing facilities of any medical needs of the inmate. When medically appropriate, a small supply of medication should be provided with the medical transfer packet so it will be available to the temporary housing facility as needed.

710.4 TRANSFERS OUTSIDE THE SYSTEM

Any inmate being transferred to a custody facility outside the Kings County Sheriff's Office correctional system shall be medically screened as described above.

Completed transfer summaries shall accompany inmates being transferred to another office's jurisdiction to ensure that the receiving health care provider can assume and continue necessary care. A release of information authorization is not required.

A release summary should include the following information:

- Current health conditions
- Current treatments and medications
- Upcoming appointments and diagnostic studies
- Allergies
- Copies of any health information that is critical to continuity of care

The discharge summary and any related medical records being transferred shall be placed in a file or envelope that maintains the patient's confidentiality. The transporting personnel shall be provided written separate instructions regarding medication or health interventions, including necessary precautions that are required en route. The transporting personnel shall also document the transfer log with the date, time and name of the person receiving the inmate and medical records.

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710.5 RECEIVING TRANSFERRED INMATES

Where an inmate being transferred to this facility arrives without a medical transfer packet, the inmate shall, within 24 hours, be given a health care appraisal comparable to the 14-day appraisal given newly admitted inmates. The medical department of the sending facility should be promptly contacted to determine if the transferred inmate has any medical needs that require immediate attention or any scheduled surgeries or appointments with community medical providers. The receiving facility should arrange for the delivery of a more detailed review of the inmate's medical needs.

Medical Screening

711.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a medical screening process for newly booked inmates so that medical, mental health and dental issues are properly identified and addressed, and to obtain a medical clearance when necessary.

711.2 POLICY

It is the policy of this office that a medical screening be performed on all inmates upon arrival at the intake area to ensure that existing, emergent and urgent health care, dental or mental health needs are identified, risks are assessed and inmates with contagious and communicable diseases are properly classified and housed for their health and the health of the general population (15 CCR 1051; 15 CCR 1206.5(a); 15 CCR 1207).

711.3 ELEMENTS OF MEDICAL SCREENING

The medical screening shall be performed by health services personnel when available, but may also be performed by health-trained correctional staff. The Responsible Physician, in cooperation with the Jail Commander, shall establish protocols for use by health-trained correctional staff during the medical screening. All completed medical screenings should be forwarded to the Responsible Physician. A review of any positive finding shall be performed by a qualified health care professional.

Regardless of training, no inmate should be allowed to conduct health care evaluations or provide treatment to any other inmate.

All inmates shall complete a medical screening as part of the booking process. If an arrestee refuses to cooperate with the medical screening, the screener will complete as much of the health assessment as reasonably possible and the arrestee will be closely observed until he/she cooperates with the remainder of the screening process.

The Responsible Physician should work cooperatively with the Jail Commander to develop the medical screening forms, which should be applicable for general health, mental health and suicide screening purposes. The forms should be completed no later than 24 hours after the arrival of an inmate but prior to an inmate being housed in the general population. All medical screening forms shall be forwarded to the medical unit and the qualified health care professionals shall be alerted to those that need priority attention.

711.3.1 MEDICAL SCREENING INQUIRY

The medical screening inquiry should include a review of the inmate's prior jail medical record, if any, and document the following:

- History of infectious or communicable diseases that are considered serious in nature; current treatment, symptoms, medications chronic illness or health issues, including communicable diseases, or special health requirements and/or dietary needs

Medical Screening

- Acute dental problems
- Past and recent serious communicable disease symptoms (e.g., chronic cough, coughing up bloody sputum, lethargy, weakness, weight loss, loss of appetite, fever, night sweats)
- Mental illness, including psychiatric hospitalizations within the last three months
- Gender issues
- History of or current suicidal ideation
- Acute allergies
- History of or current prescription or illegal drug use, including the time of last use
- History or current symptoms of substance abuse withdrawal
- Current, recent or suspected pregnancy; any history of gynecological problems and present use and method of birth control
- Appearance or history of developmental disability, body deformities or other physical abnormalities
- Females who have given birth in the past year and are charged with murder or attempted murder of their infants shall be referred to mental health services at the time of booking (15 CCR 1207.5)
- Any other health issues as identified by the Responsible Physician

Qualified health care professionals should assist in developing specific mental health medical screening questions and should provide training in analyzing inmate responses. The Responsible Physician should establish the role of the qualified health care professional in the medical screening process.

Should the medical screening identify a need for a more comprehensive medical assessment of the inmate, a qualified health care professional should initiate appropriate follow-up action, which may include transporting the inmate to an off-site medical facility.

711.3.2 MEDICAL SCREENING OBSERVATION

The staff member completing the medical screening observation shall document the following observations:

- Appearance (e.g., sweating, tremors, anxious, disheveled)
- Behavior (e.g., disorderly, appropriate, insensible)
- State of consciousness (AVPU):
 - Alert - spontaneously responsive
 - Verbal - requires verbal stimulation to respond

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- Pain - requires painful stimulation to respond
 - Unresponsive - does not respond
- Ease of movement (e.g., body deformities, gait)
- Breathing (e.g., persistent cough, hyperventilation)
- Skin (e.g., lesions, jaundice, rashes, infestations, bruises, scars, recent tattoos, needle marks or other indications of drug abuse)
- Any other observable health symptoms

The Jail Commander and the Responsible Physician should develop a procedure through which it can be reliably determined what prescription medications the inmate is taking and the medical urgency for continuing those medications without interruption.

711.3.3 DOCUMENTATION

Written documentation of the medical screening should include the name of the screener, the date and time and the following information:

- Immediate or scheduled referral to a medical, dental or mental health professional
- Guidance regarding housing placement, including disciplinary detention if necessary (15 CCR 1051)
- Guidance regarding activity limitations and work assignment
- The inmate's responses to questions asked by the interviewer
- Other individualized observations and recommendations

The initial medical screening should become part of the inmate's medical record and should be retained in accordance with established records retention schedules.

711.4 MEDICAL SCREENING DISPOSITIONS

Persons who are brought to the facility and are obviously in need of immediate medical attention shall be referred to an emergency medical facility for clearance. Conditions that require a medical clearance prior to booking include, but are not limited to, the following:

- Unconsciousness
- Uncontrolled bleeding
- Significant injuries from a motor vehicle accident
- Significant injuries from an altercation
- Significant injuries from handcuffs or other restraint devices
- Knife wounds, gunshot wounds or lacerations

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- Exposure to pepper spray, TASER® device deployment or blunt force trauma during arrest
- Intoxication to a degree that the individual cannot speak coherently or stand or walk unaided
- Recent drug overdose
- Suspected or known complications of pregnancy
- Active seizures
- Suspected or known complications of diabetes
- Exhibits behavior indicating a potential danger to themselves or others
- Active tuberculosis or other serious contagious diseases
- Actively suicidal
- Any other medical condition, which, in the opinion of the booking personnel, should be urgently referred for evaluation by medically trained personnel

Inmates with these medical conditions are not suitable for admission to the facility until medically cleared by a qualified health care professional. This office requires medical clearance from an outside entity when such inmates are identified.

Medical clearance documentation shall include the medical diagnosis, treatment received at the emergency medical facility, any medications prescribed, any ongoing medical requirements and any follow-up medical care that may be indicated before the arrestee is accepted for booking.

The Jail Commander is responsible for notifying local police agencies and medical facilities of the jail admission refusal policy and the required clearance documentation.

Based upon the information obtained during the screening process, the medical classification disposition of the inmate shall be one of the following:

- General population or other appropriate cell assignment
- General population or other appropriate cell assignment and timely referral to appropriate health care services
- Immediate referral to health care services prior to housing

711.5 HEALTH APPRAISAL

Generally, a comprehensive health appraisal should occur within 14 days of booking (see Health Appraisal Policy). However, when it is appropriate and based on an inmate's health condition, an early health appraisal should be recommended. An inmate also may be cleared for housing in general population with a prompt referral to the appropriate health care services when it is in accordance with the inmate's overall classification. Upon the identification of a mentally disordered

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inmate, a mental health provider's opinion will be secured within 24 hours, or next sick call, whichever is earliest (Title 15 CCR § 1052).

Mental Health Services

712.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all inmates have access to mental health services and that inmates identified as needing these services are referred appropriately.

712.1.1 DEFINITION

Definitions related to this policy include:

Mental health services - A variety of psycho-social and pharmacological therapies, either individual or group, including biological, psychological and social therapies to alleviate symptoms, attain appropriate functioning and prevent relapse.

712.2 POLICY

It is the policy of this office that a range of mental health services shall be available for any inmate who requires them (15 CCR 1206(g); 15 CCR 1207).

712.3 MENTAL HEALTH SERVICES

The Jail Commander should collaborate with the local public and private organizations that offer mental health services, treatment and care to those inmates in need of such services.

Such services may include:

- Assistance with mental health screening, diagnosis and care, including intake screening.
- Referral to services for the detection, diagnosis and treatment of mental illness and follow-up care after release from custody.
- Crisis intervention and the management of psychiatric episodes.
- Stabilization of the mentally ill and the prevention of psychiatric deterioration in the correctional setting.
- Psychotropic medication management and psychotherapy.
- Suicide prevention.
- Segregation rounds by qualified health care professionals.
- Treatment of severe adjustment disorders.
- Referral, transportation and admission to licensed mental health facilities for inmates whose psychiatric needs exceed the treatment or housing capability of the facility (15 CCR 1209; Penal Code § 4011.6; Penal Code § 4011.8).
- Obtaining and documenting informed consent.
- Release planning services.

Mental Health Services

712.4 BASIC MENTAL HEALTH SERVICES

Inmates may be referred to a qualified health care professional through a variety of methods, which include the medical screening process, the mental health appraisal process and self-referral or staff referral. Qualified health care professionals should respond to all referrals in a timely manner and initiate the appropriate treatment services.

- (a) If the inmate has received previous mental health treatment, the inmate should be asked to complete a release of information form so his/her treatment records can be obtained.
- (b) Inmates who have been determined to be in need of ongoing mental health services after their release from this facility should be provided with information about community mental health treatment resources. Arrangements for more comprehensive mental health care may be made, if appropriate.
- (c) Inmates who are identified as being developmentally disabled should be evaluated for special housing needs. The qualified health care professional should work in cooperation with classification personnel to establish the best, reasonably available housing option.
- (d) Inmates who are suspected or known to be developmentally disabled should receive a mental health appraisal by the qualified health care professional or health-trained custody staff as soon as reasonably practicable but no later than 24 hours after booking. Contact will be made with the regional center within 24 hours, excluding holidays and weekends, when an inmate is suspected or confirmed to be developmentally disabled. Inmates who are developmentally disabled should be referred, where appropriate and available, for placement in non-correctional facilities or in units specifically designated for housing the developmentally disabled (15 CCR 1057).
- (e) Inmates enrolled in mental health treatment, including psychiatric medication management, should be provided information regarding the risks and benefits to treatment. Informed consent documents should be signed by the inmate to establish his/her consent to treatment. The signed forms should be placed in the inmate's health record and retained in accordance with established records retention schedules.
- (f) A treatment plan should be established for all inmates enrolled in mental health services.
 - 1. Psychiatric and special needs treatment plans shall be reviewed every 180 days, at a minimum. Inmates taking psychotropic medication should be seen by a psychiatrist at least every 90 days. Inmates classified as requiring mental health special needs should be seen at least monthly by a qualified health care professional.

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2. Inmates enrolled in other ongoing forms of mental health treatment should have treatment plan updates completed every six months, at a minimum.
 3. Inmates who present to the qualified health care professional as having notable difficulty adjusting to the correctional environment, but who are not diagnosed with a serious mental illness, should be evaluated for the appropriateness of mental health treatment. Consideration should be given to the qualified health care professional and the facility staff working together to address the issues that may be affecting the inmate's ability to adjust to incarceration.
- (g) The qualified health care professional should utilize a site-specific suicide prevention program to ensure the safety of inmates who present with a risk of self-harm.
1. Qualified health care professionals should be assigned to daily rounds in the segregation unit to determine the mental health status of inmates housed there.
 2. Segregated inmates may be referred by the jail staff to qualified health care professionals for follow-up if concerns arise regarding their ability to function in disciplinary detention.
- (h) If the qualified health care professional has concerns about the level of mental health services that are required to manage an inmate housed in the facility, the health authority shall be notified and the Responsible Physician shall be the decision-maker regarding the health care needs of the inmate.
1. The Responsible Physician may consult with a psychiatrist, specialist or other health care service in determining whether the inmate should be transferred to a facility that is better equipped to handle the inmate's psychiatric needs.
 2. The Responsible Physician should notify the Jail Commander of the request to transfer the inmate for medical treatment.
 3. The case review and disposition of the patient should be documented in the inmate's health record and retained in accordance with established records retention schedules.

Inmates determined to be in need of substance abuse treatment services should be informed of the facility programs available and shall be provided information about community substance abuse treatment resources.

Mental Health Screening and Evaluation

713.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the process by which all inmates receive an initial mental health screening by qualified mental health staff or health-trained custody staff using an instrument developed by qualified health care professionals. The initial mental health screening takes place at the time of booking, and is for the safety of the inmate and the general population. It helps the custody staff to make appropriate classification and housing decisions and to ensure that the treatment and intervention needs of the inmate are met.

713.1.1 DEFINITIONS

Mental health staff - Qualified health care professionals who have received instruction and supervision in identifying and interacting with individuals in need of mental health services.

Qualified mental health professionals - Psychiatrists, psychologists, psychiatric social workers, psychiatric nurses and others who, by virtue of their education, credentials and experience, are permitted by law to evaluate and care for the mental health needs of patients.

Screening for intellectual functioning - Includes inquiry into the history of developmental and educational difficulties and, when indicated, referral for the application of standardized psychological intelligence tools, as appropriate.

Suicidal ideation - Having thoughts of suicide or of taking action to end one's own life. Suicidal ideation includes all thoughts of suicide when the thoughts include a plan to commit suicide and when they do not.

Treatment plan - A comprehensive written tool for planning, implementing and evaluating mental health interventions in response to specific problems and in accordance with established health care goals.

713.2 POLICY

It is the policy of this office that all individuals booked into the facility shall receive an initial mental health screening by a qualified mental health professional, qualified mental health staff or health-trained custody staff. A more comprehensive medical appraisal shall be conducted within the first 14 days of incarceration to confirm the initial findings and to ensure that, if needed, an appropriate treatment plan that meets the individual needs of the inmate is in place (15 CCR 1052; 15 CCR 1209(a)(1)).

713.3 MENTAL HEALTH SCREENING

The initial screening is designed to identify whether mental health conditions exist that require immediate or ongoing intervention. The screening shall be performed prior to the inmate being placed in general housing and should include:

- (a) Inquiry into whether the inmate is or has:

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1. Thoughts or history of suicidal behavior.
 2. Been prescribed or is taking psychotropic medication or antidepressants.
 3. Been treated for mental health issues.
 4. A history of psychiatric treatment.
 5. A history of treatment for substance abuse or been treated for substance abuse.
- (b) Any observations of:
1. Appearance and behavior.
 2. Abuse, injury or trauma.
 3. Symptoms of aggression, depression, psychosis.
- (c) A determination of whether the inmate is cleared for or referred to:
1. General housing
 2. General housing with mental health referral
 3. Mental health emergency treatment

This information shall be recorded on the receiving screening form. It will become part of the inmate's health record and be retained in accordance with established records retention schedules.

713.4 MENTAL HEALTH APPRAISAL

All inmates shall receive a mental health appraisal by qualified mental health-trained personnel within 14 days of incarceration to the facility. This appraisal is not required if there is documented evidence of a mental health appraisal having been performed in the previous 90 days. Mental health appraisals include:

- Assessment of the inmate's current mental status and condition
- Assessment of current suicidal potential and inmate-specific circumstances (e.g., holds a position of high regard in the community, charged with a crime of notoriety) that increase suicide potential
- Indicators of violence potential and inmate-specific circumstances that increase violence potential
- Review of inpatient and outpatient psychiatric treatment, if available
- Any history of treatment with psychotropic medication, if applicable
- Any history of psychotherapy, psycho-educational groups and classes or support groups
- Any history of drug and alcohol abuse or treatment

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- An educational history assessment
- Any history of sexual abuse victimization or predatory behavior
- A current assessment of drug and alcohol abuse and/or addiction
- Review of additional assessment tools, as indicated
- Referral to treatment options, as indicated
- Development of a treatment plan, including recommendations concerning housing, job assignment and program participation

713.5 MENTAL HEALTH REFERRALS

Qualified mental health staff should administer a complete and thorough evaluation of inmates referred for treatment as soon as practicable but no later than 14 days from the referral. The evaluation should include:

- Review of the inmate's screening and appraisal information.
- Observations of the inmate's behavior.
- Information gathered from interviews and testing to determine the inmate's mental health condition, intellect, personality, problems and ability to deal with a custody environment.
- Collection of the Inmate's mental health history.

Following the evaluation, a plan of treatment and maintenance, which may include a complete psychological evaluation, should be developed to meet the inmate's needs.

Special Needs Medical Treatment Plan

714.1 PURPOSE AND SCOPE

This purpose of this policy is the proper treatment and management of inmates with chronic diseases and special needs. This is accomplished by utilizing nationally recognized, generally accepted clinical guidelines and establishing communication between health care providers and custodial personnel.

714.1.1 DEFINITIONS

Chronic disease - An illness or condition that affects an individual's well-being for an extended interval, usually at least six months, and generally is not curable but can be managed for optimum functioning within any limitations the condition creates in the individual.

Chronic disease program - The inmate has regular clinic visits during which a clinician monitors the medical condition and adjusts treatment as necessary. The program also includes patient education for symptom management.

Clinical practice guidelines - Systematically developed, science-based statements designed to assist practitioners and inmates with decisions about appropriate health care for specific clinical circumstances. Clinical practice guidelines are used to assist clinical decision-making, assess and assure the quality of care, educate individuals and groups about clinical disease, guide the allocation of health care resources and reduce the risk of legal liability for negligent care.

Special needs - Health conditions that require regular care.

Treatment plan - A series of written statements specifying a patient's particular course of therapy and the roles of qualified health care professionals in delivering the care.

714.2 POLICY

It is the policy of this office that all individuals with chronic diseases or special needs are identified and enrolled in a chronic disease program to decrease the frequency and severity of the symptoms, prevent disease progression and complication, and foster improved function.

When a health care provider recognizes that an inmate requires accommodation due to a special need, correctional personnel should be notified in writing. Consultation between the health care provider and correctional personnel should occur regarding the condition and capabilities of inmates with known special needs prior to a housing, work or program assignment, transfer to another facility or the imposition of disciplinary action.

Health providers shall furnish special needs information regarding inmates to custodial personnel in order for them to accurately classify and house inmates in the facility. It is the responsibility of the Jail Commander or the authorized designee to ensure that inmates with special needs are receiving the proper care and that their needs are effectively communicated to custodial staff for appropriate accommodation (15 CCR 1206(g)).

Special Needs Medical Treatment Plan

714.3 CLINICAL PRACTICE GUIDELINES

The responsible physician or the authorized designee is responsible for establishing and annually reviewing clinical protocols to ensure consistency with the National Clinical Practice Guidelines.

The clinical protocols for the management of chronic disease and special needs include, but are not limited to:

- Asthma
- Communicable diseases
- Developmentally disabled inmates
- Diabetes
- Dialysis
- Frail or elderly inmates
- High blood cholesterol
- HIV
- Hypertension
- Mental illness
- Mobility impairments
- Pregnancy
- Seizure disorder
- Suicidal ideation
- Terminally ill
- Tuberculosis

714.4 DOCUMENTATION

Documentation in an inmate's medical record should include information that the chronic disease protocols are being followed and should include, but are not limited to:

- The frequency of follow-up for medical evaluation.
- How the treatment plan was adjusted when clinically indicated.
- The type and frequency of diagnostic testing and prescribed therapeutic regimens.
- The prescribed instructions for diet, exercise, adaptation to the correctional environment and medication.
- Clinical justification of any deviation from the established protocol.

Special Needs Medical Treatment Plan

A master list of all chronic disease and special needs patients is maintained by health care personnel for easy reference and follow-up.

714.5 CHRONIC CARE PROGRAM

- (a) Newly incarcerated inmates shall receive a medical screening. This screening includes the documentation of any acute or chronic health problems or injuries, special needs, and any medications or treatments the inmate is currently receiving.
 - 1. If the inmate has been incarcerated previously, his/her health records should be reviewed.
 - 2. A special needs communication form should be completed and sent to the classification unit, the Shift Supervisor and the housing officer to ensure the inmate is properly housed.
 - 3. Current medications being taken by the inmate should be verified and continued as deemed appropriate by the responsible physician.
 - 4. A health assessment shall be completed within 14 days of incarceration and a physical examination conducted within six months of incarceration.
 - 5. The status of a special needs inmate should be evaluated, at minimum, every 90 days to determine the need for the continued designation.
- (b) The Jail Commander or the authorized designee and the responsible physician or the authorized designee should consult with one another prior to taking action regarding any special needs inmate with regard to housing, program or work assignments, disciplinary measures or transfers to other facilities.
 - 1. When immediate action is required and prior consultation is not possible, that consultation should occur as soon as practicable but no later than 72 hours post-action.
- (c) Individual treatment plans are used to guide treatment for episodes of illness. The format for treatment planning may vary, but should include, at a minimum:
 - 1. The frequency of follow-up for medical evaluation and adjustment of treatment modality.
 - 2. The type and frequency of diagnostic testing and therapeutic regimens.
 - 3. When appropriate, instructions about diet, exercise, adaptation to the correctional environment and medication.
- (d) Every effort should be made to obtain health information and records from previous health care providers, with the consent of the inmate, when the inmate has a medical problem that was being treated prior to incarceration.

Special Needs Medical Treatment Plan

- (e) Upon transfer to another correctional facility, a summary of the inmate's current condition, medications and treatment plan will be forwarded to the receiving facility in a sealed envelope to maintain confidentiality.
- (f) Requests for health information from community providers are submitted, with the inmate's consent.
- (g) When inmates are sent out of this facility for emergency or specialty treatment, written information regarding the inmate's current medical status and treatment should accompany the inmate. Upon return to the facility, treatment recommendations from outside providers should be reviewed by the responsible physician or the authorized designee for any changes in the custodial environment or in-house treatment plan.
- (h) Inmates identified as developmentally disabled shall be considered for discharge planning services.
 - 1. The local center for the developmentally disabled will be contacted within 24 hours of incarceration of an inmate suspected to be developmentally disabled.
 - 2. Referrals will be made to the jail's discharge planning specialist. If no position exists, the need for transition planning should be noted on the treatment plan.
- (i) With the inmate's written consent, the health services staff should:
 - 1. Share necessary information with outside providers.
 - 2. Arrange for follow-up appointments.
 - 3. Arrange for transfer of health summaries and relevant parts of the health record to community providers or others assisting in planning or providing for services upon release.
- (j) Contacts with community providers should be documented via an administrative note in the patient's health record.
- (k) Patients with serious mental health issues, including those receiving psychotropic medication, will be informed about community options for continuing treatment and provided with follow-up appointments when possible.
- (l) Medications should be called in to patient's pharmacy as appropriate.
- (m) The California Forensic Medical Group Program Manager is responsible for ensuring that local site-specific procedures facilitate discharge planning.

Communicable Diseases

715.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for facility staff to assist in minimizing the risk of contracting and/or spreading communicable diseases. The policy offers direction in achieving the following goals:

- (a) Managing the risks associated with bloodborne pathogens (BBP), aerosol transmissible diseases (ATD) and other potentially infectious substances.
- (b) Providing appropriate treatment for ill inmates while minimizing the risk of the spread of disease.
- (c) Making decisions concerning the selection, use, maintenance, limitations, storage and disposal of personal protective equipment (PPE).
- (d) Ensuring proper reporting to local, state and federal agencies.
- (e) Establishing procedures for the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated), treatment and follow-up care for new inmates, and for inmates or employees who have contracted a communicable disease from an ill inmate.
- (f) Providing appropriate treatment, counseling and confidentiality should an employee become exposed to a communicable disease.
- (g) Protecting the privacy rights of all personnel who may be exposed to or contract a communicable disease during the course of their duties.

715.1.1 DEFINITIONS

Definitions related to this policy include:

Aerosol transmissible disease (ATD) - A disease or pathogen for which droplet (whooping cough, influenza, streptococcus) or airborne (measles, chickenpox, tuberculosis) precautions are required.

Aerosol transmissible disease (ATD) exposure - Any event in which all of the following has occurred:

- An employee has been exposed to an individual who has or is suspected to have an ATD, or the employee is working in an area or with equipment that is reasonably expected to contain aerosol transmissible pathogens associated with an ATD.
- The exposure occurred without the benefit of applicable exposure controls required by this section.
- It reasonably appears from the circumstances of the exposure that transmission of disease is likely sufficient to require medical evaluation.

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Airborne precautions - Include the use of an Airborne Infection Isolation Room (AIIR) that meets the American Institute of Architects/Facility Guidelines Institute (AIA/FGI) standards for AIIRs, for infectious agents such as measles, chickenpox, tuberculosis, etc., in addition to medical personnel wearing masks or respirators.

Bloodborne pathogens (BBP) - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HCV) and human immunodeficiency virus (HIV).

Bloodborne pathogen exposure - Includes, but is not limited to, the contact of blood or other potentially infectious materials with the eye, mouth, other mucous membranes, non-intact skin, needle sticks, human bites, cuts, abrasions or any contact with blood or body fluids that is synonymous with bloodborne pathogen exposure as defined by the federal Centers for Disease Control and Prevention (CDC).

Ectoparasitic infections - Parasites that live on the skin, such as lice (pediculosis) and scabies (sarcoptic mange). Both infections are communicable and may lead to secondary infections.

HBV - Hepatitis B

HIV - Human Immunodeficiency Virus

Medical isolation - Housing in a separate room with a separate toilet, hand-washing facility, soap and single-service towels, and with appropriate accommodations for showering.

NIOSH - National Institute for Occupational Safety and Health

Nosocomial - Acquired during hospitalization. Nosocomial infections are infections that present 48 to 72 hours after admission to a hospital.

OSHA - Occupational Health and Safety Administration

Personal protective equipment (PPE) - Respiratory equipment, garments, gloves and other barrier materials designed to reduce employee exposure to hazards.

Source control measures - The use of procedures, engineering controls and other devices or materials to minimize the spread of airborne particles and droplets from an individual who has or exhibits signs or symptoms of having an ATD.

Standard precautions - Infection control practices used to prevent the transmission of disease that can be acquired by contact with blood, bodily fluids, non-intact skin (including rashes) and mucous membranes. Applies to all inmates receiving care, regardless of diagnosis or presumed infection status.

Universal precautions - A set of precautions designed to prevent transmission of HIV, HBV and other bloodborne pathogens when providing first aid or health care.

715.2 POLICY

It is the policy of this office to maintain an effective program that focuses on the identification, education, immunization, prevention, surveillance, diagnosis, medical isolation (when indicated),

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treatment, follow-up and proper reporting to local, state and federal agencies of communicable diseases. The program is designed to ensure that a safe and healthy environment is created and maintained for all occupants of the facility (15 CCR 1051; 15 CCR 1206.5; 15 CCR 1206(i)).

715.2.1 EXPOSURE CONTROL OFFICER

The Jail Commander shall designate an Exposure Control Officer (ECO) who shall be responsible for:

- (a) Establishing written procedures and a training program related to BBPs.
- (b) Establishing written procedures and a training program related to ATDs.
- (c) Working with the Jail Commander to develop and administer any additional related policies and practices necessary to support the effective implementation of an Exposure Control Plan (ECP).
- (d) Acting as a liaison during OSHA inspections and conducting program audits to maintain a current ECP.
- (e) Maintaining a current list of facility staff requiring training. Developing and implementing a training program, maintaining class rosters and quizzes, and periodically reviewing the training program.
- (f) Reviewing and updating the ECP annually, on or before January 1 of each year.

The Kings County Sheriff's Office uses two detention deputies as "safety officers" who fill the role of the ECO. Supervisors are responsible for exposure control in their respective areas. They shall work directly with the ECO and the affected employees to ensure that the proper procedures are followed.

715.2.2 PROCEDURES

The ECO shall be responsible for establishing, implementing and maintaining effective written procedures for the following:

- (a) Incorporating the recommendations contained in the CDC's "Respiratory Hygiene/ Cough Etiquette in Healthcare Settings."
- (b) Screening and referring cases and suspected cases of ATD to appropriate facilities within five hours of identification.
- (c) Creating a multidisciplinary team, including clinical, security and administrative representatives, who will meet at least quarterly to review and discuss communicable disease issues and activities. The ECO shall retain minutes of these meetings in accordance with established records retention schedules. The ECO also shall coordinate with the responsible public health authority on appropriate policy and procedure.
- (d) Conducting an assessment on the incidence and prevalence of tuberculosis (TB) within the facility's population and the surrounding community. If the statistics indicate

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a risk, the ECO shall develop a written plan that addresses the management of TB, from testing to follow-up care.

- (e) Communicating with employees, other employers and the local health officer regarding the suspected or diagnosed infectious disease status of referred inmates, including notification of exposed employees.
- (f) Reducing the risk of ATDs through the ECP and reviewing the plan at least annually.
- (g) Reducing the risk of exposure to BBPs (HIV, hepatitis).
- (h) Providing a system of medical services for employees who may become exposed to communicable diseases during the course of their employment.
- (i) Ensuring that all employees who have occupational exposure to communicable disease participate in a training program at the time of their initial assignment, at least annually thereafter, and any time there is a change in working conditions.
- (j) Making all exposure and treatment plans available for employees, employee representatives and NIOSH review.

715.3 COMMUNICABLE DISEASE PROGRAM COMPONENTS

715.3.1 SURVEILLANCE

Surveillance takes place throughout the period of the inmate's incarceration and is done in a variety of encounters and inspections. These include, but are not limited to, the following:

- (a) **Receiving screening** - Each newly booked inmate shall be evaluated for health care needs and signs and symptoms of infectious disease. The receiving screening includes questions regarding known symptoms of TB, HIV, sexually transmitted diseases (STDs) and HBV. The individual completing the receiving screening observes the inmate for obvious signs of infection (Title 15 CCR § 1206.5(a)).
- (b) **Health assessment** - Inmates shall have a health assessment within the first 14 days of incarceration. The health assessment process includes screening for symptoms of communicable disease. Inmates will have a Purified Protein Derivative (PPD) test for TB and STD signs and symptom screening. Voluntary HIV testing is provided based on identified risk.
- (c) **Periodic health assessments** - Annual testing for TB is performed on all inmates who are in the facility for one year or more.
- (d) **Sick call and referrals** - At any time during incarceration, an inmate may request to be evaluated for an infectious disease through the sick call process. Health and correctional staff can request that an inmate be evaluated if they notice any signs of potentially infectious disease.
- (e) **Contact investigation** - When an inmate housed in the general population develops symptoms of an infectious disease, the health services administrator and the

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responsible physician should work cooperatively with the Jail Commander or the authorized designee and the public health department to provide appropriate screening and testing of potentially exposed persons.

- (f) **Environmental health and safety inspections** - The health and safety of the facility environment shall be inspected by the Kings County Health Department and reported to the Jail Commander at least annually in a written report. Conditions identified as adversely affecting the health and safety of the inmates and/or employees or visitors shall be promptly addressed and corrected.

715.3.2 IDENTIFICATION

Any inmate suspected of having a communicable disease will be evaluated by a qualified health care professional as soon as reasonably practicable. Inmates suspected of having communicable diseases will be appropriately isolated until disease confirmation and the period of communicability is determined. Long term housing consideration will be based upon the classification status as well as the behavior, medical needs and safety of inmates and staff. These inmates shall be examined by a qualified health care professional within 24 hours. The instructions of the qualified health care professional regarding care of the patient and sanitizing of eating utensils, clothing and bedding shall be carefully followed (15 CCR 1206.5(a); 15 CCR 1206.5(b)(6)).

715.3.3 TREATMENT

Qualified health care professionals shall provide care as directed by the Responsible Physician and consistent with scientific evidence-based medicine (15 CCR 1206.5(a)).

- (a) The Responsible Physician and the Jail Commander shall collaborate on treatment planning with the public health department, as appropriate.
- (b) Complete documentation of the signs, symptoms, diagnostic results, treatment and outcome of care provided to inmates who are suspected or confirmed as having a communicable disease will be entered into the inmate's health record.

715.3.4 COMMUNICATION

The NaphCare Health Services Administrator shall ensure the following notifications are made whenever a communicable disease is identified (Title 15 CCR § 1206.5(b)(3) and (b)(8)):

- (a) Notification to the public health department of all reportable diseases and conditions shall be made as soon as practicable. This is done by completing appropriate forms, and if necessary, contacting the public health department directly for situations of multiple spread occurrences.
- (b) The NaphCare Health Services Administrator and the Jail Commander shall be kept informed of any incidence of communicable disease.
- (c) The Jail Commander shall be apprised of any medical situation that raises the risk of disease level for inmates, correctional officers or any other staff members.

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715.3.5 CONTINUOUS QUALITY IMPROVEMENT

A continuous quality improvement (CQI) committee shall be formed consisting of the NaphCare Health Services Administrator, the responsible physician, the Jail Commander and a representative from the public health department. The purpose of the committee is to monitor infection control issues and evaluate infection control processes to ensure effectiveness.

Monthly statistics should be collected by the health care providers and assembled into a report presented by the NaphCare Health Services Administrator or the authorized designee, detailing surveillance activities, disease identification and cases treated. The committee should meet quarterly and should discuss topics specific to infection control and communicable disease. Minutes of the meetings should be retained in accordance with established records retention schedules.

715.3.6 EMPLOYEE TRAINING

The NaphCare Health Services Administrator or the authorized designee shall provide education regarding communicable disease and infections to all correctional staff who have contact with inmates at least annually. The Training Sergeant shall schedule this training and shall retain all associated records in accordance with established records retention schedules.

715.3.7 DATA COLLECTION AND REPORTING

NaphCare Incorporated shall be responsible for ensuring the systematic collection and analysis of data to assist in the identification of problems, epidemics or clusters of nosocomial infections. All reportable illnesses as defined by the public health department shall be reported as required (Title 15 CCR § 1206.5(b) et seq.).

715.3.8 STANDARD PRECAUTIONS

Standard precautions shall be used by health care practitioners to minimize the risk of exposure to blood and body fluids of infected patients. NaphCare Incorporated shall be responsible for establishing basic guidelines including, but not limited to (Title 15 CCR § 1206.5(b)(4)):

- Washing hands or using hand sanitizer before and after all patient or specimen contact.
- Handling all blood and body fluids such as saliva, urine, semen and vaginal secretions as if they are known to be infectious. Where it is not possible to distinguish between body fluid types, all body fluids are to be assumed infectious.
- Wearing gloves for potential contact with blood and other body fluids.
- Placing used syringes immediately in a nearby, impermeable container. Do not recap or manipulate any needle in any way.
- Wearing protective eyewear and a mask if splatter with blood or other body fluids is possible.
- Handling all linen soiled with blood and/or body secretions as infectious.

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- Processing all laboratory specimens as infectious.
- As appropriate, wearing a mask for TB and other ATDs.

715.3.9 TRANSMISSION-BASED PRECAUTIONS

Transmission-based precautions may be needed in addition to universal precautions for selected patients who are known or suspected to harbor certain infections. These precautions are divided into three categories that reflect the differences in the way infections are transmitted. Some diseases may require more than one category.

- (a) Airborne precautions are designed to prevent the spread of ATDs, which are transmitted by minute particles called droplet nuclei or contaminated dust particles. These particles, because of their size, can remain suspended in the air for long periods of time, even after the infected person has left the room. Some examples of diseases requiring airborne precautions are TB, measles and chicken pox.
 1. An inmate requiring airborne precautions should be assigned to a designated respiratory isolation room with special ventilation requirements. The door to this room must be closed at all possible times. If an inmate must move from the isolation room to another area of the facility, the inmate should wear a mask during transport. Anyone entering the isolation room to provide care to the inmate must wear a respirator.
- (b) Droplet precautions are designed to prevent the spread of organisms that travel on particles much larger than the droplet nuclei. These particles do not spend much time suspended in the air, and usually do not travel beyond a few feet of the inmate. These particles are produced when an inmate coughs, talks or sneezes. Examples of disease requiring droplet precautions are meningococcal meningitis, influenza, mumps and German measles (rubella).
 1. All staff should wear masks within 3 feet of the inmate. Inmate movement should be restricted to the minimum necessary for effective facility operations. The inmate should wear a mask during transport.
- (c) Contact precautions are designed to prevent the spread of organisms from an infected inmate through direct (touching the inmate) or indirect (touching surfaces or objects the inmate touched) contact. Examples of inmates who might be placed in contact precautions are those infected with the following:
 1. Antibiotic-resistant bacteria
 2. Hepatitis A
 3. Scabies
 4. Impetigo
 5. Lice

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The following guide shall be used to determine the appropriate precautions that are necessary to reduce the risk of infection transmission while inmates are being transported. Inmates shall receive training on the disease transmission process and will be provided with appropriate barrier devices.

Precautions for Inmate Contact and Transportation

	GLOVES	SURGICAL MASKS	N95 MASKS	ISOLATION GOWNS
Contact				
Inmate	No	No	No	No
Personnel	Yes	No	No	Yes
Droplet				
Inmate	No	Yes	No	No
Personnel	No	Yes	No	Yes
Airborne				
Inmate	No	Yes	No	No
Personnel	No	No	Yes	No

715.3.10 ENVIRONMENTAL HEALTH AND SAFETY

NaphCare Incorporated shall conduct a monthly inspection of areas where health services are provided to verify the following:

- The equipment is inspected and maintained to the manufacturer's recommendations.
- The area is clean and sanitary.
- The appropriate measures are being taken to ensure the unit is occupationally and environmentally safe.

715.3.11 REGULATED WASTE

The Office in coordination with NaphCare Incorporated, will provide for the management of biohazardous materials and waste and the establishment of a protocol for the decontamination of equipment used in medical and dental treatment. Medical and dental equipment decontamination shall comply with all applicable local, state and federal regulations. Precautions may include, but are not limited to:

- (a) Discarding biohazardous waste in red plastic bags marked with the word BIOHAZARD and displaying the international symbol for biohazardous material. Contaminated disposable PPE shall be discarded in these receptacles.
- (b) Whenever a large amount of fluid blood is present, an absorbent powder should be used to gelatinize the fluid, which should assist in clean up. Standard precautions shall be used when removing the product, which should then be placed in a red biohazard bag.

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- (c) Used biohazard bags shall be stored in covered, rigid waste receptacles in designated locations pending weekly removal by a biohazard waste removal contractor.
- (d) Records documenting biohazardous waste removal, spore count logs and cleaning logs shall be retained in accordance with established records retention schedules.

715.4 ECTOPARASITE CONTROL

Ectoparasite control will be initiated, where clinically indicated, immediately following the medical screening or when the inmate manifests signs and symptoms of lice or scabies (15 CCR 1212).

- (a) Any inmate who indicates parasitical infection upon entering the facility shall be treated by a qualified health care professional.
- (b) Any inmate suspected of having lice/scabies may be referred to sick call by a deputy.
- (c) An inmate may access sick call if he/she believes there is a problem with lice/scabies.
- (d) A qualified health care professional shall evaluate any inmate with a lice/scabies complaint. If there are positive findings, the inmate shall be treated for the infestation accordingly.
 - 1. The lice and scabies treatment guidelines will be followed by the qualified health care professional, if a physician's order for the medication administration is obtained.
 - (a) The prescribing physician shall be notified if the inmate is pregnant, as certain medications are contraindicated for pregnant women. An alternative topical application must be prescribed in these situations.
 - (b) Documentation in the medical record should include the patient's symptoms, observations regarding the condition, patient education and prescribed treatment.
 - 2. The inmate's clothing and linen shall be removed from his/her cell placed in a plastic bag and sent to the laundry. These items are considered contaminated and must be disinfected by:
 - (a) Machine washing (hot cycle), machine drying (hot cycle), dry cleaning or ironing, or
 - (b) Storage in a plastic bag for non-washable items for 10-14 days (head lice), seven days (pubic lice). This method is not recommended for body lice.
 - (c) Isolation is not necessary as long as clothing and bedding are properly disinfected and inmates do not share items.
 - 1. An inmate having poor hygiene should be housed in a single cell until 24 hours after beginning treatment.

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2. Gloves are to be used for direct contact until the inmate has been treated and the clothing/bedding have been removed for disinfecting.
3. Cell mates, sexual partners and any personnel having direct hands-on contact with an infected inmate should be evaluated for prophylactic treatment because of the long incubation period of the scabies parasite.

715.5 EMPLOYEE EXPOSURE CONTROL

All facility staff that may come in contact with another person's blood or bodily fluids shall follow these procedures and guidelines. For the purposes of this policy, contact with blood or bodily fluids is synonymous with BBP exposure.

All employees shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or bodily fluid is anticipated. Disposable gloves shall be worn, if reasonably possible, before making physical contact with any inmate and when handling the personal belongings of an inmate.

Should gloves come in contact with blood or other bodily fluids, the gloves shall be disposed of as contaminated waste. Care should be taken to avoid touching other items (e.g., pens, books and personal items in general) while wearing disposable gloves in a potentially contaminated environment. All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying or otherwise generating droplets of those materials.

Eating, drinking, smoking, applying lip balm and handling contact lenses shall be prohibited in areas where the potential for exposure exists.

715.5.1 IMMUNIZATIONS

All facility staff members who may be exposed to, or have contact with, a communicable disease shall be offered appropriate treatment immunization. The ability of staff to provide health care services is predicated on a safe and secure working environment where employees feel safe to do their work, and assures public safety.

Staff shall also receive a TB test prior to job assignment and voluntary annual testing thereafter, at no cost to the employee.

The HBV immunization shall be available to all employees who have direct inmate contact and who test negative for HBV antibodies. The immunization is voluntary and provided at no cost to the employee. Employees who decline the offer of immunization and/or test shall be required to sign a waiver. Employees receiving immunization and testing shall be required to sign a consent form. Employees may reverse their decision to decline at any time by signing a consent form.

715.5.2 PERSONAL PROTECTIVE EQUIPMENT (PPE)

The PPE is the last line of defense against communicable disease. Therefore, the following equipment is provided to all personnel to assist in the protection against such exposures:

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- Disposable latex gloves
- Safety glasses or goggles
- Rescue mask with a one-way valve
- Alcohol (or similar substance) to flush skin

The PPE should be inspected at the start of each shift and replaced immediately after each use and when it becomes damaged.

715.5.3 DECONTAMINATION OF PERSONAL PROTECTIVE EQUIPMENT

After using any reusable PPE, it shall be washed or disinfected and stored appropriately. If it is not reusable (e.g., disposable gloves), it shall be discarded in a biohazard waste container.

Any PPE that becomes punctured, torn or loses its integrity shall be removed as soon as reasonably feasible. The employee shall wash up and replace the PPE if the job has not been terminated. If the situation resulted in a contaminated non-intact skin event, the affected area shall be decontaminated as described below.

A contaminated reusable PPE that must be transported prior to cleaning shall be placed into a biohazard waste bag. Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container. The gloves shall be included with the waste.

715.5.4 DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES

Personnel shall wash their hands as soon as possible following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used, paying particular attention to the fingernails.

If an employee's intact skin contacts someone else's blood or body fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of his/her body with soap and warm water and/or an approved disinfectant as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee's skin are contaminated, the employee shall shower as soon as reasonably possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained.

Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required. All hand, skin and mucous-membrane washing that takes place shall be done in the designated cleaning or decontamination area. Cleaning shall not be done in the kitchen, bathrooms or other locations not designated as a cleaning or decontamination area.

715.5.5 DECONTAMINATION OF CLOTHING

Contaminated clothing such as uniforms and undergarments shall be removed as soon as reasonably feasible and rinsed in cold water to prevent the setting of bloodstains. If the clothing may be washed in soap and hot water, do so as soon as reasonably possible.

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If the clothing must be dry-cleaned, place it into a biohazard waste bag and give it to the ECO. The ECO will secure a dry cleaner that is capable of cleaning contaminated clothing, and shall inform the dry cleaner of the potential contamination. The cost of dry cleaning shall be paid according to labor contract agreements.

Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded and replaced. The cost of replacement shall be paid according to labor contract agreements.

715.5.6 DECONTAMINATION OF VEHICLES

Contaminated vehicles and components such as the seats, radios and doors, shall be washed with soap and warm water and disinfected with an approved germicide as soon as reasonably feasible.

715.5.7 DECONTAMINATION OF THE CLEANING AREA

The ECO shall designate a location in the facility that will serve as the area for cleaning/decontamination. This area is to be used to keep equipment clean and sanitary and for employees to wash any potential contamination from their bodies. This area is to be thoroughly cleaned after each use and to be maintained in a clean and sanitary order at all times between each use. The application of cosmetics, smoking of cigarettes and consumption of food and drink are prohibited in this area at all times.

715.6 SHARPS AND ITEMS THAT CUT OR PUNCTURE

All personnel shall avoid using or holding sharps (needles) unless they are assisting medical personnel or collecting them for evidence. Unless required for reasons related to evidence preservation, employees are not to recap sharps. If recapping is necessary, a one-handed method shall be employed to avoid a finger prick. Disposal, when possible, shall be into a puncture-proof biohazard container.

All sharps and items that cut or puncture (e.g., broken glass, razors and knives) shall be treated cautiously to avoid cutting, stabbing or puncturing one's self or any other person. In addition, if a sharp object contains known or suspected blood or other body fluids, that item is to be treated as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs or a broom and a dustpan to clean up debris. If the material must be touched, protective gloves shall be worn.

715.7 POST-EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS

In actual or suspected employee exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities and to ensure the best protection and care for the employees.

715.7.1 EMPLOYEE RESPONSIBILITY TO REPORT EXPOSURE

To provide appropriate and timely treatment should exposure occur, all employees shall verbally report the exposure to their immediate supervisor and complete a written exposure report as soon as possible following the exposure or suspected exposure. That report shall be submitted to the employee's immediate supervisor. Employees should document in the exposure report whether

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they would like the person who was the source of the exposure to be tested for communicable diseases (15 CCR 1206.5(b)(8)).

715.7.2 SUPERVISOR REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure that occurs as soon as possible following the incident, while gathering the following information:

- (a) Name and employee identification number of the employee exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) What potentially infectious materials were involved
- (e) Source of material or person
- (f) Current location of material or person
- (g) Work being done during exposure
- (h) How the incident occurred or was caused
- (i) PPE in use at the time of the incident
- (j) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the employee of the laws and regulations concerning disclosure of the identity and infectious status of a source, and of information contained in this policy regarding source testing.

If the ECO is unavailable to seek testing of the person who was the source of the exposure, it is the responsibility of the exposed employee's supervisor to ensure testing is sought according to the guidelines in this policy.

715.7.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Any employee who was exposed or who suspects he/she was exposed to HIV or to hepatitis B or C should be seen by a physician or qualified health care professional as soon as reasonably possible.

The doctor or qualified health care professional should be given the supervisor's report and the employee's medical records relevant to the visit and examination. The blood of the exposed employee shall be tested.

The qualified health care professional will provide the ECO and/or the Office's risk manager with a written opinion/evaluation of the exposed employee's medical condition. This opinion should only contain the following information:

- If a post-exposure treatment is indicated for the employee.
- If the employee received a post-exposure treatment.

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- Confirmation that the employee received the evaluation results.
- Confirmation that the employee was informed of any medical condition that could result from the exposure incident and whether further treatment or evaluation will be required.
- Whether communicable disease testing from the source is warranted, and if so, which diseases the testing should include.

All other findings or diagnosis shall remain confidential and are not to be included in the written report.

715.7.4 COUNSELING

The Office shall provide the exposed employee (and his/her family if necessary) the opportunity for counseling and consultation.

715.7.5 CONFIDENTIALITY OF REPORTS

Most of the information involved in this process must remain confidential. The ECO shall ensure that all records and reports are kept in the strictest confidence. The ECO shall be responsible for maintaining records containing the employee's treatment status and the results of examinations, medical testing and follow-up procedures.

The Office's risk manager shall be responsible for keeping the name and Social Security number of the employee and copies of any information provided to the consulting health care professional on file.

This information is confidential and shall not be disclosed to anyone without the employee's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (15 CCR 1206.5(b)(5)).

715.7.6 SOURCE TESTING

Testing of a person who was the source of an exposure to a communicable disease should be sought when it is desired by the exposed employee or when it is otherwise appropriate.

There are five methods to obtain such testing. It is the responsibility of the ECO to ensure the proper testing and reporting occurs. These methods are:

- (a) Obtaining voluntary consent from any person who may be the source of an exposure to test for any communicable disease.
- (b) Filing a report with the county health officer when an employee is exposed to the bodily fluids of an arrestee. The county health officer may pursue testing for HIV or hepatitis B or C.
- (c) Seeking consent for testing or applying for a court order for HIV, hepatitis B and hepatitis C testing.

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- (d) Seeking a court order when the person who may be the source of an exposure will not consent to testing and the exposure does not fall under a statutory scheme for testing. This covers testing for any communicable disease as deemed appropriate by a qualified health care professional and documented in the request for the court order.
- (e) Under certain circumstances, a court may issue a search warrant for testing an adult when an employee of the Kings County Sheriff's Office qualifies as a crime victim.

715.7.7 EXPOSURE FROM A NON-INMATE

Upon notification of an employee's exposure to a non-inmate (e.g., visitor, attorney, volunteer, vendor) the ECO should attempt to determine if the person who was the source of the exposure will voluntarily consent to testing. If consent is provided, the following steps should be taken:

- (a) A qualified health care professional should notify the person to be tested of the exposure and make a good faith effort to obtain voluntary informed consent from the person or his/her authorized legal representative to perform a test for HIV, hepatitis B, hepatitis C and other communicable diseases the qualified health care professional deems appropriate.
- (b) The voluntary informed consent obtained by the qualified health care professional must be in writing and include consent for three specimens of blood. The ECO should document the consent as a supplement to the Exposure Control Report.
- (c) The results of the tests should be made available to the source and the exposed employee.

If consent is not obtained, the ECO should promptly consult with the County Counsel and consider requesting that a court order be sought for appropriate testing.

715.7.8 EXPOSURE FROM AN INMATE

If the ECO receives notification from an employee of a potential exposure from an inmate, the ECO should take the following steps:

- (a) Seek consent from the person who was the source of the exposure and seek a court order, if consent is refused.
- (b) Take reasonable steps to immediately contact the county health officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the county health officer will order testing.
- (c) Remain in contact with the county health officer to determine whether testing of the inmate will occur and whether the testing satisfies the medical needs of the employee.
- (d) The results of the tests should be made available to the inmate and the exposed employee.

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Since there is potential for overlap between the two statutory schemes, the ECO is responsible for coordinating the testing with the county health officer to prevent unnecessary or duplicate testing.

If the exposed employee is not covered by either statutory scheme, the ECO should seek consent or a court order in the same manner as for a non-inmate.

Aids to Impairment

716.1 PURPOSE AND SCOPE

This policy acknowledges the high priority of inmate health and recognizes that some inmates will require adaptive devices to assist them with daily living activities on a temporary or permanent basis.

The Kings County Sheriff's Office has established this policy for physicians and dentists to review and evaluate the need for adaptive devices, while considering facility security concerns regarding the use of such items.

When a physician or dentist determines that the medical condition of an inmate indicates that an adaptive device is clinically appropriate, the parameters of this policy will determine if authorization for the use of such items during incarceration should be granted, and if any equipment modifications are indicated for safety or security purposes.

716.1.1 DEFINITIONS

Definitions related to this policy include:

Adaptive device - Any orthotic, prosthetic or aid to impairment that is designed to assist an inmate with the activities of daily living or that is clinically appropriate for health, as determined by the Responsible Physician or dentist.

Aids to impairment - Includes, but is not limited to, eyeglasses, hearing aids, pacemakers, canes, crutches, walkers and wheelchairs .

Orthoses - Specialized mechanical devices, such as braces, shoe inserts or hand splints that are used to support or supplement weakened or abnormal joints, limbs and/or soft tissue.

Prostheses - Artificial devices designed and used to replace missing body parts, such as limbs, teeth or eyes.

716.2 POLICY

It is the policy of the Office that, in accordance with security and safety concerns, medical and dental orthoses or prostheses and other adaptive devices should be permitted or supplied in a timely manner when the health of the inmate would otherwise be adversely affected or when such devices are necessary to reasonably accommodate a disability recognized under the American with Disabilities Act (ADA) (42 USC § 12101 et seq.), as determined by the Responsible Physician or dentist (15 CCR 1206(d); 15 CCR 1207).

716.3 FACILITY-OWNED MEDICAL EQUIPMENT

All adaptive devices belonging to the Office shall be marked and numbered, identifying them as office property.

- (a) A medical equipment inventory form shall be completed by the intake deputy for all medical equipment issued to the inmate, regardless of who owns the property.

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- (b) Upon the release of an inmate, the releasing deputy shall review the medical equipment issued to the inmate and contact the medical clinic for instructions regarding any office-owned adaptive device.

716.4 MEDICAL OR DENTAL ORTHOSES, PROSTHESES OR ADAPTIVE DEVICES

The following applies to inmates with any orthopedic or prosthetic devices (Penal Code § 2656):

- (a) An inmate shall not be deprived of the possession or use of any orthopedic, orthodontic, or prosthetic device that has been prescribed or recommended and fitted by a physician or dentist (see the following exception).
- (b) Any such device that may constitute an immediate risk of bodily harm to any person in the facility or that threatens the security of the facility should be brought to the attention of the Jail Commander. If the Jail Commander has probable cause to believe such a device constitutes an immediate risk of bodily harm to any person in the facility or threatens the security of the facility, the Jail Commander may remove the device and place it in the inmate's property.
- (c) The Jail Commander shall return the device to the inmate if circumstances change and the cause for removal no longer exists.
- (d) The Jail Commander shall have the inmate examined by a physician within 24 hours after a device is removed.
- (e) The Jail Commander should review the facts with the ADA Coordinator and shall address the issue in conjunction with the Inmates with Disabilities Policy.
- (f) The physician shall inform the inmate and the Jail Commander if the removal is or will be injurious to the health or safety of the inmate. When the Jail Commander is so informed but still does not return the device, the Jail Commander shall inform the physician and the inmate of the reasons and promptly provide the inmate with a form, as specified in Penal Code § 2656, by which the inmate may petition the Superior Court for return of the appliance. The Jail Commander shall promptly file the form with the Superior Court after it is signed by the inmate. The Jail Commander should consider the following alternatives to removal of the device:
 - 1. Reclassifying the inmate to another housing unit or administratively segregating the inmate from the general population.
 - 2. With physician or dentist approval, modify the adaptive device to meet the medical needs of the inmate and the safety and security needs of the facility.

Once an adaptive device has been approved for use, the qualified health care professional shall enter the authorization into the inmate's health file. If the inmate requires special housing, the qualified health care professional shall document this in writing and notify custody or classification personnel appropriately. The qualified health care professional shall document the general

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condition of the prosthesis and have the inmate sign in the medical record that he/she received the prosthesis.

Any prostheses that are brought to the facility by family members or others after the inmate has been incarcerated shall be subject to a security check. The facility shall accept no responsibility for loss or damage to any adaptive device.

Inmates may be required to provide co-payments for adaptive devices supplied by the facility (Penal Code § 4011.1; Penal Code § 4011.2). Any repair or replacement of any adaptive device may be the responsibility of the inmate. If the adaptive device supplied or repaired is medically necessary and the inmate is indigent, funds for the repair shall be sought through the Inmate Welfare Fund.

716.5 REQUESTS FOR MEDICAL AND DENTAL PROSTHESES

All requests for new or replacement medical or dental prostheses shall be individually evaluated by the Responsible Physician or dentist and reviewed for approval by the Jail Commander. Considerations for approval shall be based upon:

- Medical needs of the inmate.
- The anticipated length of incarceration.
- The safety and security of the facility.

Detoxification and Withdrawal

717.1 PURPOSE AND SCOPE

Significant percentages of inmates have a history of alcohol and/or drug abuse. Newly incarcerated individuals may enter the facility while under the influence of a substance or they may develop symptoms of alcohol or drug withdrawal. This policy is intended to ensure that the staff is able to recognize the symptoms of intoxication and withdrawal from alcohol or drugs, and that those inmates who are intoxicated or experiencing withdrawal are provided appropriate medical treatment.

This policy also identifies protocols to be used by qualified health care professionals. These protocols are appropriate for inmates who are under the influence of alcohol or drugs or who are experiencing withdrawal from any type of substance abuse.

717.1.1 DEFINITIONS

Definitions related to this policy include:

Alcohol withdrawal - A medical condition characterized by physiological changes that occur when alcohol intake is discontinued in an individual who is addicted to alcohol.

Detoxification - The process by which an individual is gradually withdrawn from drugs by the administration of decreasing doses of the drug on which the person is physiologically dependent, or a drug that is cross-tolerant to the dependent drug, or a drug that medical research has demonstrated to be effective in detoxifying the individual from the dependent drug.

717.2 POLICY

Withdrawal from alcohol or drugs can be a life-threatening medical condition requiring professional medical intervention. It is the policy of this office to provide proper medical care to inmates who suffer from drug or alcohol overdose or withdrawal.

To lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the facility, staff shall respond promptly to medical symptoms presented by inmates.

The Responsible Physician shall develop written medical protocols on detoxification symptoms necessitating immediate transfer of the inmate to a hospital or other medical facility, and procedures to follow if care within the facility should be undertaken (15 CCR 1213).

Inmates who are booked into the facility who are participating in a narcotic treatment program shall, with the approval of the director of the program, be entitled to continue in the program until conviction (Health and Safety Code § 11222).

717.3 STAFF RESPONSIBILITY

Staff should remain alert to signs of drug and alcohol overdose and withdrawal. These symptoms include, but are not limited to, sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing and generalized aches and pains. Any staff member who suspects

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that an inmate may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the Shift Supervisor, who shall ensure that a qualified health care professional is promptly notified.

717.4 MEDICAL STAFF RESPONSIBILITY

The qualified health care professional will evaluate the inmate using approved protocols in order to determine the most appropriate care plan, which will be based on the patient's history, current physical status and treatment needs. Any patient who cannot be safely treated in the facility will be referred to an appropriate treatment facility off-site.

717.5 PROCEDURE

Inmates who are observed experiencing severe, life-threatening intoxication (overdose) or withdrawal symptoms will be promptly seen by a physician or referred to an off-site emergency facility for treatment. Detoxification shall be conducted under medical supervision at the facility or in a hospital or community detoxification center under appropriate security conditions.

If the qualified health care professional determines that an inmate is at risk for progression to a more severe level of withdrawal, the inmate will be appropriately housed in an area where he/she can be kept under constant observation by qualified health care professionals or trained correctional staff.

717.6 WITHDRAWAL AND DETOXIFICATION PROTOCOLS

Protocols are available to the qualified health care professionals to guide the care and treatment of individuals who are intoxicated or experiencing drug and/or alcohol withdrawal. These protocols, which have been developed and approved by the Responsible Physician, fall within nationally accepted guidelines and are reviewed annually.

When dealing with inmates who are in a custody situation, qualified health care professionals shall utilize detoxification protocols in accordance with local, state and federal laws.

No direct supervision is required at the time of identifying and initiating care. Overall supervision is provided by the Responsible Physician. Qualified health care professionals shall evaluate and provide care to patients utilizing written procedures and/or physician orders.

717.7 ALCOHOL WITHDRAWAL SYMPTOMS CHART

The following chart describes typical symptoms of mild, moderate and severe withdrawal. It is to be used as a guide for determining when to refer inmates to a qualified health care professional. Not all symptoms are always present.

	MILD	MODERATE	SEVERE (Delirium Tremens)
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ANXIETY	Mild restlessness and anxiety	Obvious motor restlessness	Extreme restlessness and agitation with appearance of intense fear is common
APPETITE	Impaired appetite	Marked anorexia	Often rejects all food and fluid except alcohol
BLOOD PRESSURE	Normal or slightly elevated systolic	Usually elevated systolic	Elevated systolic and diastolic
CONFUSION	Oriented, no confusion	Variable confusion	Marked confusion and disorientation
CONVULSIONS	No	May occur	Severe convulsions are common
HALLUCINATIONS	No hallucinations	Often vague, transient, visual and auditory hallucinations and delusions, often with insight, often occurring only at night	Visual and occasional auditory hallucinations, usually of fearful or threatening content. Misidentification of persons and frightening delusions relating to hallucinatory experiences
MOTOR CONTROL	Inner "shaky"	Visible tremulousness	Gross uncontrollable shaking
NAUSEA	Nausea	Nausea and vomiting	Dry heaves and vomiting
PULSE	Tachycardia	Pulse 100-120	Pulse 120-140
SLEEP		Marked insomnia and nightmares	Total wakefulness
SWEATING	Restless sleep or insomnia	Obvious	Extreme

Administration of Psychotropic Medication

718.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines under which an inmate may be involuntarily administered psychotropic medications during a mental health emergency, to protect the safety of the inmate and others.

718.1.1 DEFINITIONS

Mental health emergency - An emergency situation that requires an immediate response to an individual in psychiatric crisis, for the preservation of life or the prevention of serious bodily harm to the inmate, staff or others. It is not necessary for harm to take place or to become unavoidable prior to involuntary treatment being imposed.

Psychotropic medication - Any medication prescribed for the treatment of symptoms of psychoses and/or other mental and emotional disorders.

718.2 POLICY

It is the policy of this office that an inmate may be involuntarily given psychotropic medication on an emergency basis only when the inmate is found by a physician to be a danger to him/herself or others by reason of mental disorders (15 CCR 1217).

718.3 MEDICATION IN AN EMERGENCY

Psychotropic medication shall not be administered to an inmate absent an emergency unless the inmate has given his/her informed consent or administration has been authorized under a court order.

Involuntary emergency administration of psychotropic medication shall occur only under the following conditions:

- The inmate has been afforded interventions, beginning with the least restrictive options, as approved by the Responsible Physician or psychiatrist.
- The administration and duration are authorized by a physician.
- A physician specifies the conditions under which the medication is to be administered.

The details of each condition must be documented in the inmate's medical record.

This policy limits the number of times that involuntary psychotropic medication may be administered to one dose only during the mental health emergency, as defined by a qualified health care professional. If the emergency is not resolved, the patient shall be transferred from the jail to an appropriate facility that is designed to treat mental health emergencies.

Psychotropic medication shall not be administered for disciplinary reasons.

Administration of Psychotropic Medication

718.3.1 PROCEDURES

When it has been determined that an inmate's behavior might lead to death or injury to the inmate or others, and that a mental health emergency is imminent, the following procedure shall be followed:

- The inmate shall be subdued by custody personnel using tactics that provide the safest resolution for the inmate and the involved staff given the circumstances.
- The facility nurse shall evaluate the inmate for any injuries and mental status.
- The facility physician shall be contacted for direction.
- If psychotropic medication is authorized by the physician, the facility nurse will first attempt to gain inmate consent.
- If consent is not obtained, the medication shall be involuntarily administered in the safest manner possible.
- The inmate will be monitored for any adverse reactions and side effects twice every hour by custody personnel.
- The facility nurse shall check the inmate at 30-minute intervals for the first two hours.
- As soon as the mental health emergency has passed, the inmate shall be evaluated for less restrictive treatment alternatives.
- The inmate shall be evaluated by the physician within 24 hours to determine continued treatment planning.
- If the emergency is not resolved with a single dose of medication, or if the inmate does not continue treatment on a voluntary basis, consideration should be given to the prompt transfer of the inmate to an appropriate facility that is designed to treat mental health emergencies.
- All clinical interaction with the inmate shall be fully documented in the inmate's medical record and shall include the date and time of treatment and the signature of the health care provider.

Clinical Performance Enhancement

719.1 PURPOSE AND SCOPE

This office recognizes the importance of ensuring that qualified health care professionals are competent in their clinical skills and that the clinical performance enhancement review addresses areas in need of improvement.

719.1.1 DEFINITIONS

Definitions related to this policy include:

Clinical performance enhancement review - The process of having a qualified health care professional's work reviewed by another professional (peer review) of at least equal training in the same general discipline, e.g., review of the facility's physicians by the Responsible Physician.

Independent review - The assessment of a qualified health care professional's compliance with discipline-specific and community standards. The review is an analysis of a practitioner's clinical practice. This review may be conducted by someone who may or may not be directly employed by the institution. However, if the review was prompted by an inmate complaint, the reviewing practitioner must not have been previously involved in the care of that inmate.

719.2 POLICY

It is the policy of this office to conduct a biannual peer review of all qualified health care professionals. The clinical performance enhancement review process is neither an annual performance review nor a clinical case conference process. It is a professional review focused on the qualified health care professional's clinical skills. Its purpose is to enhance competence and address areas in need of improvement.

An immediate peer review may be authorized by the Responsible Physician if serious problems of practice arise with a specific qualified health care professional.

719.3 COMPONENTS OF THE CLINICAL PERFORMANCE ENHANCEMENT

The clinical performance enhancement review process is to be conducted biannually on all qualified health care professionals. The result of these reviews shall be kept confidential. Documentation from the review shall include:

- Name of the individual being reviewed.
- Date of the review.
- Name and credentials of the reviewer.
- Confirmation that the review was shared with the qualified health care professional.
- Summary of findings and corrective action, if any.

If a clinical performance enhancement review identifies a serious concern, the Responsible Physician shall implement an independent review by someone who is not directly employed by

Clinical Performance Enhancement

this office. The result of this review shall be shared with the appropriate health care service by the Responsible Physician, and a plan of correction shall be implemented.

The Responsible Physician will keep a log of clinical performance enhancement reviews of all qualified health care professionals to ensure compliance with this policy.

719.4 HEALTH CARE COMPLAINTS

The Jail Commander, in cooperation with the Responsible Physician, shall be responsible for developing and implementing a process by which inmates may submit complaints about the health care services they have received. There shall also be a means of collecting and analyzing the observations of other qualified health care professionals, correctional staff or other nonmedical staff regarding the delivery of health care services.

The Responsible Physician shall convene a panel of independent physicians to review the practice of the physician about whom complaints or observations have been made. The Responsible Physician shall take appropriate action at the recommendation of the panel.

719.5 RECORDS

All clinical performance enhancement review reports and complaint investigations shall be considered confidential. The contents of such files shall not be revealed to other than the involved employee or authorized personnel, except pursuant to lawful process or as otherwise authorized or required by statute.

Clinical Decisions

720.1 PURPOSE AND SCOPE

This policy recognizes that a coordinated effort between NaphCare Incorporated, the responsible physician and the Jail Commander is needed to ensure an adequate health care system. It emphasizes the importance of clinical decisions being the sole responsibility of the qualified health care professional.

720.1.1 DEFINITIONS

Definitions related to this policy include:

Clinical decisions - The process of formulating a differential diagnosis with information gathered from an inmate's medical history and physical and mental examinations, developing a list of possible causes and ordering tests to help refine the list or identify a specific disease.

Differential diagnosis - A systematic method of identifying unknowns or diagnosing a specific disease using a set of symptoms and testing as a process of elimination.

720.2 POLICY

Clinical decisions and actions regarding inmate health care are the sole responsibility of qualified health care professionals and should not be countermanded by others. NaphCare Incorporated shall be responsible for arranging for appropriate health resources and for determining what services are needed. The Jail Commander or the authorized designee shall be responsible for providing the custodial support to ensure a safe and secure environment for the delivery of the services and its accessibility to the inmates (15 CCR § 1200 (a) and 15 CCR § 1206 (k)).

720.3 MEDICAL AUTONOMY

Clinical decisions shall be made only after a thorough evaluation of the patient's complaint and physical or mental condition. The implementation of clinical decisions is to be completed in an effective and safe manner that does not violate the security regulations of the facility.

720.4 PROBLEM RESOLUTION

Any issues arising because of the clinical decision process shall be reviewed under the provisions of the Continuous Quality Improvement Policy using medical records, grievances, staff complaints and any other relevant data.

Licensure, Certification and Registration Requirements

721.1 PURPOSE AND SCOPE

The purpose of this policy is to recognize that inmates are entitled to health care services that are provided by qualified health care professionals working within the scope of their respective licensure, certification, registration and training. This policy also establishes a credentials verification process.

721.1.1 DEFINITIONS

Direct order - A written order issued by a qualified health care professional specifically for the treatment of an inmate's particular condition.

Qualified health care professionals - Physicians, physician assistants, nurses, nurse practitioners, dentists, mental health professionals and others who, by virtue of their education, credentials and experience, are permitted by law to evaluate and care for patients.

Standing order - A written order for the definitive treatment of identified conditions and for the on-site emergency treatment of any person having such condition.

721.2 POLICY

It is the policy of this office that all qualified health care professionals who provide health care services to inmates possess the required licenses, certification or registration appropriate to their field of expertise. Job descriptions shall include minimum qualifications and specific duties and responsibilities, and shall be approved by the health authority.

The current credentials and job descriptions for all qualified health care professionals are on file at the facility and retained in accordance with established records retention schedules.

Any health care provided to inmates at the facility that is not provided by a qualified health care professional is provided in accordance with a standing order or direct order issued by personnel who are qualified under governing laws to give such orders. (15 CCR § 1203 and 15 CCR § 1204).

721.3 CREDENTIALING AND FILE MAINTENANCE

A completed file of current licenses, certifications, registration, reference checks and applications shall be maintained by NaphCare Incorporated Office and by the health services administrator or the authorized designee at this facility.

- (a) The NaphCare Health Services Administrator or the authorized designee shall obtain confirmation of current licenses, certification and registration prior to making any offer of employment.
- (b) Inquiries into any sanctions or disciplinary actions of state boards, employers and the U.S. Department of Health and Human Services' National Practitioner Data Bank shall be conducted prior to making any offer of employment.

Licensure, Certification and Registration Requirements

- (c) Employment references may be obtained via mail or over the phone with documentation.
- (d) Each employee shall be held responsible for providing renewal verification of licenses, certificates and registration prior to the expiration date.
- (e) Providers must complete the credentialing process that is conducted by the corporate office and must provide the facility a copy of current licenses and, when appropriate, a Drug Enforcement Administration certificate to prescribe controlled substances.
- (f) To be eligible for hire, all clinical health care personnel must possess and maintain a current Cardiopulmonary Resuscitation (CPR) certification and provide documentation to the NaphCare Health Services Administrator.

721.4 STUDENTS AND/OR INTERNS

If the medical services provided to an inmate are performed by any intern, resident or student who is authorized to provide specific health care services as part of a formal medical training program, the individuals in training will work under the control and supervision of a qualified health care professional. Assigned tasks shall be commensurate with the intern, student or resident's level of training.

There shall be a written agreement between the facility and the entity sponsoring the training program that covers the scope of work, duration of the agreement and any legal or liability issues.

Any student, intern or resident working in the facility shall participate in a facility orientation that includes, but is not limited to, topics such as fire safety, facility security, items considered contraband and inmate culture.

All students, interns or residents shall be required to agree in writing to abide by all facility policies, including those relating to hostages, facility security and the confidentiality of information.

All training provided, written agreements and/or contracts shall be maintained in the student's file by the California Forensic Medical Group Programs Manager in accordance with established records retention schedules.

Inmate Death - Clinical Care Review

722.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the actions and notifications required in the event of an in-custody death and the medical care received by the inmate. The policy requires that a review of all in-custody deaths be conducted to assess the appropriateness of the clinical care provided and the effectiveness of the facility's policies and procedures.

722.1.1 DEFINITIONS

Definitions related to this policy include:

Administrative review - An assessment of the facility's emergency response actions surrounding the death of an inmate. The purpose of the administrative review is to identify areas where operations, policies and procedures may be improved.

Clinical mortality review (CMR) - An assessment of the medical condition of the inmate prior to treatment, the clinical care provided by contractors and the circumstances of the death. The purpose of the CMR is to identify areas of patient care or system policies and procedures that may be improved.

Psychological autopsy - A written reconstruction of an inmate's life with an emphasis on factors that may have contributed to his/her death. This is sometimes referred to as a psychological reconstruction and is usually conducted by a psychologist or other qualified mental health care professional.

722.2 POLICY

It is the policy of this office that all in-custody deaths are reviewed to determine the appropriateness of the clinical care provided, to determine whether existing policies are appropriate or if revision is necessary and to identify any other issues associated with the circumstances of the death. A postmortem examination should be performed according to the laws of the jurisdiction if the cause of death is unknown, if the death occurred under suspicious circumstances or if the inmate was not under current medical care (15 CCR 1046(a)).

722.3 NOTIFICATIONS

In the event of an in-custody death, all authorities with jurisdiction, including the Coroner or the authorized designee shall immediately be notified by the health care professional on-duty at the time of death.

NaphCare Incorporated and the responsible physician should also be notified and should coordinate with the Jail Commander regarding all medical issues surrounding the in-custody death.

Information regarding the individual designated by the deceased inmate for notification should be provided to the Coroner or the authorized designee, who is charged with the responsibility of making such notifications.

Inmate Death - Clinical Care Review

722.4 DOCUMENTATION

The health care professional on-duty at the time of the in-custody death shall ensure that all witnessed facts concerning the death are documented on the inmate's health record. Written documentation should include, but is not limited to, the time of death, the preceding circumstances surrounding the death, nature of the death, treatment rendered and who was notified of the death and by whom.

The NaphCare Health Services Administrator should initiate a death report and document it as an occurrence on the next continuous quality improvement report.

722.5 CLOSING THE MEDICAL RECORD

NaphCare Incorporated should review the inmate's health record to ensure appropriate entries have been made, and within two business days of the death have the original and one complete copy of the medical record made and delivered as follows:

- (a) Original - Seal the original in an envelope and retain in the custody of the health authority.
- (b) Copy 1 - Send to the NaphCare Incorporated Corporate Office.

722.6 DEATH BY SUICIDE

In the event of a suspected inmate suicide, mental health personnel shall make a report within 24 hours to the director of mental health services containing:

- (a) The inmate's known mental health history.
- (b) The most recent known mental health treatment.
- (c) All known circumstances surrounding the suicide.

A psychological autopsy should be conducted by a qualified mental health professional if the cause of death is determined to be a suicide.

The initial CMR should be conducted by the director of mental health, the responsible physician and the NaphCare Health Services Administrator. The CMR should be finalized within 30 days by the responsible physician. The findings should be shared with the treating staff.

722.7 DEATH REVIEW

All deaths should be reviewed within 30 days. The review shall consist of an administrative review, a CMR and a psychological autopsy if the death was by suicide.

Treating staff shall be informed of the CMR and the administrative review findings at the quarterly continuous quality improvement meeting.

Corrective actions identified through the CMR should be implemented and monitored in accordance with the Continuous Quality Improvement Policy for systemic issues and the Inmate Safety Policy for staff-related issues.

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Inmate Death - Clinical Care Review

Suicide Prevention and Intervention

723.1 PURPOSE AND SCOPE

This policy establishes the suicide prevention and intervention program to identify, monitor and, when necessary, provide for emergency response and treatment of inmates who present a suicide risk while incarcerated at the office detention facilities (15 CCR 1219).

This policy is intended to reduce the risk of self-inflicted injury or death by providing tools to the staff that will allow a timely and organized emergency response to suicide, suicide attempts or an inmate's unspoken indications that suicide is being considered. The three key components of this plan are evaluation, training and screening with intervention.

723.2 POLICY

It is the policy of this office to minimize the incidence of suicide by establishing and maintaining a comprehensive suicide prevention and intervention program designed to identify inmates who are at risk of suicide and to intervene appropriately whenever possible. The program shall be developed by the Jail Commander and the Responsible Physician, approved by the local public health entity and reviewed annually by the Jail Commander. A copy of this policy shall be maintained in each unit of the facility where it can be easily accessed by all staff members (15 CCR 1029(a)(8); 15 CCR 1219).

723.3 SUICIDE PREVENTION TEAM

The Jail Commander in cooperation with the Responsible Physician or designee shall establish a suicide prevention team. The team will evaluate and approve the suicide prevention and intervention program annually. The suicide prevention team will consist of qualified health care professionals and the Jail Commander or the authorized designee. The yearly evaluation will include a review of all current policies to ensure they are relevant, realistic and consistent with the mission of the program. The program and policies will be updated as needed.

The suicide prevention team shall also ensure that the facility is evaluated annually to identify any physical plant characteristics or operational procedures that might be modified to reduce the risk of inmate suicide. This should be accomplished by conducting a review of suicides and suicide attempts, physical inspection, review of various facility inspection reports and by participating in inmate/management team meetings. If physical modifications are recommended, the team shall ensure the Jail Commander is promptly notified.

It shall also be the responsibility of the suicide prevention team to coordinate with the Training Sergeant to ensure that suicide prevention training is provided in compliance with applicable statutes and standards.

723.4 STAFF TRAINING

All facility staff members who are responsible for supervising inmates shall receive initial and annual training on suicide risk identification, prevention and intervention, to include, at minimum:

Suicide Prevention and Intervention

- The provisions of this policy.
- Identification of the warning signs and indicators of potential suicide, including training on suicide risk factors.
- Identification of the demographic and cultural parameters of suicidal behavior, including incidence and variations in precipitating factors.
- Responding to suicidal and depressed inmates.
- Communication between corrections and health care personnel.
- Using referral procedures.
- Housing observation and suicide watch-level procedures.
- Follow-up monitoring of inmates who attempt suicide.

Recommendations for modification to suicide training should be directed to the Jail Commander, who shall review the recommendations and approve, if appropriate.

723.5 SCREENING AND INTERVENTION

All inmates shall undergo medical and mental health screening during the intake process. A portion of the intake medical screening is devoted to assessing inmates at risk for suicide. Upon an inmate entering the facility, he/she should be assessed by custody staff for the ability to answer medical and mental health screening questions.

Any inmate who appears to be unable to answer the initial medical screening questions shall be examined by a qualified health care professional at a designated hospital and receive medical clearance before acceptance into the jail. Inmates who refuse to answer these questions shall be placed under observation until the screening can be completed, or until sufficient information is obtained to allow the staff to make appropriate decisions concerning housing and care.

Staff members shall promptly refer any inmate who is at risk for suicide to medical and mental health services. The inmate shall remain under direct and constant observation in a safe setting until designated staff makes appropriate health care and housing decisions.

723.6 SUICIDE WATCH

Inmates may only be housed on suicide watch with the approval of health services personnel and a Shift Supervisor. Inmates placed on suicide watch shall be closely monitored and housed in a cell that has been designed to be suicide resistant. Prior to housing the inmate, the staff should carefully inspect the cell for objects that may pose a threat to the inmate's safety.

Mental health services is primarily responsible for the treatment of inmates on suicide watch. Deputies and general employees are responsible for the physical safety of inmates. All staff members should coordinate their efforts to ensure that inmates do not have the means or the opportunity to injure themselves.

Suicide Prevention and Intervention

A special observation log shall be maintained for each inmate on suicide watch. A staff member shall be designated to make a direct visual observation of the inmate twice every 30 minutes at approximately 15-minute intervals. A medical staff member must observe the inmate at least once every six hours. Each staff member who is required to observe the inmate shall make notations in the observation log documenting the time of observation and a brief description of the inmate's behavior.

An inmate classified as "actively suicidal" must be continuously monitored by direct visual observation of a deputy. While monitoring may be supplemented by video monitoring, it may never be a substitute for direct visual monitoring.

The status of suicidal inmates should be readily identifiable by the staff, either by distinctive attire or a wristband. When standard-issue clothing presents a security or medical risk to the inmate or others, the inmate shall be supplied with a security garment that is designed to promote inmate safety and not cause unnecessary humiliation and degradation. Use of the security garment shall be documented in the inmate's health record. Suicidal inmates shall not be permitted to retain undergarments or any other item that can be fashioned into an implement for hanging (e.g., plastic bags, shoelaces or sheets). Inmates shall not be permitted to keep personal property while housed on suicide watch and shall not be permitted to possess razors or other sharp objects, such as pencils or any other item that may be used to cause a self-inflicted injury. Physical restraints should only be used as a last resort measure. The decision to use or discontinue use of restraints should be made in consultation with mental health staff.

Inmates who are not actively suicidal but who have expressed suicidal thoughts or have a recent history of self-injurious behavior should be observed by staff at irregular intervals, not to exceed every 15 minutes.

723.6.1 INTERVENTION

Any suicide attempt is a medical emergency. Staff should take action to facilitate emergency medical care and preserve and collect evidence as necessary. A qualified health care professional should be summoned immediately any time the staff suspects a suicide attempt is imminent. Staff should take reasonable and appropriate precautions to mitigate the ability of the inmate to injure him/herself, and should consider establishing and maintaining a non-threatening conversation with the inmate while awaiting assistance. If a qualified health care professional is not immediately available, the inmate should be placed in an appropriate and safe location until such time as qualified health care professionals or the Responsible Physician is available.

Following a suicide attempt, staff should initiate a medical emergency response and initiate and continue appropriate life-saving measures until relieved by qualified health care professionals. The arriving medical staff should perform the appropriate medical evaluation and intervention. The Responsible Physician or the authorized designee should be notified in situations when referral and transportation to the emergency room of a local hospital is required.

Suicide Prevention and Intervention

723.6.2 NOTIFICATION

In the event of an attempted or completed suicide, the Jail Commander should be promptly notified. The Jail Commander should notify the Sheriff.

The location where a suicide or attempted suicide has occurred should be treated as a crime scene after the inmate has been removed from the cell or after emergency medical care is rendered. The area should be secured and access-controlled to preserve evidence until the appropriate investigation can be completed.

All suicides or attempted suicides shall be documented in an incident report. Any injury must be documented in an inmate injury report.

All in-custody deaths, including those resulting from suicide, should be investigated and documented in accordance with the Reporting Inmates Deaths Policy.

723.7 FOLLOW-UP

Mental health services personnel shall evaluate any inmate placed in suicide watch within 24 hours of placement or at the next available mental health sick call, whichever is earliest. When mental health staff is not on-site, custody staff may contact the on-call provider for assistance. After evaluation, mental health services personnel will make a recommendation whether to keep the inmate on suicide watch. Only a member of the medical or mental health staff may remove an inmate from suicide watch.

All changes in inmate status must be reported to the mental health services staff to ensure the inmate receives appropriate care. The inmate's health record shall be updated to reflect all contacts, treatment and any other relevant information, and the records maintained in accordance with established records retention schedules.

723.7.1 DEBRIEFING

Any suicide attempt or death of an inmate or on-site staff member requires a staff debriefing. Information will be communicated to the oncoming Shift Supervisor and staff to apprise them of the incident and the actions taken with regard to the incident. Such debriefing will be appropriately documented and shall be reviewed by administration, security and the Responsible Physician.

723.8 TRANSPORTATION

Inmates at risk for suicide pose additional challenges during transport and while being held in court holding facilities. The transportation staff should take reasonable steps to closely monitor at-risk inmates whenever they are transported or held in any cell that is not designated as a suicide-watch cell. All additional security and monitoring measures implemented by the staff should be documented in the inmate's record. The transporting deputy should ensure that the suicide threat or other danger is communicated to personnel at the receiving facility.

Nursing Assessment Protocols

724.1 PURPOSE AND SCOPE

The purpose of this policy is to establish standards for evaluating and treating inmates with medical issues that are easily and effectively treated or triaged by nursing personnel who have been properly trained in the use of nursing assessment protocols.

724.1.1 DEFINITIONS

Definitions related to this policy include:

Nursing assessment protocols - Written instructions or guidelines that specify the steps to be taken in evaluating an inmate's health status and providing medical treatment. Protocols may include first-aid procedures for the identification and care of ailments that ordinarily would be treated with over-the-counter (OTC) medication or through self-care. These protocols also may address more serious symptoms, such as chest pain, shortness of breath or intoxication. The protocols provide a sequence of steps to evaluate and stabilize an inmate until a qualified health care professional is contacted and orders for further care are received.

724.2 POLICY

It is the policy of this office that medical care performed by personnel other than a physician shall be performed pursuant to a written protocol or order of the Responsible Physician.

724.3 PROTOCOL DEVELOPMENT AND AUTHORIZATION

The facility's Responsible Physician or the authorized designee shall develop, review and authorize all nursing protocols used for the treatment of inmates, and shall develop, deliver or procure appropriate training for the nurses on their use. Each nursing assessment protocol will have a signed declaration indicating it has been reviewed and approved by the nursing administrator and the Responsible Physician.

The protocols developed shall be appropriate for the training and experience of the health care services staff members who will deliver the services. Each protocol shall comply with the standards of practice for the level of care the health care services staff members are authorized to provide. The protocols shall only include the use of OTC medications.

The Responsible Physician shall review the nursing assessment annually, revising as necessary and dating and signing approved protocols (15 CCR 1204).

724.4 TRAINING

Nurses will be trained and approved in the nursing assessment protocols prior to their use. The training shall be documented and should include:

- (a) Evidence that new nurses have been trained.
- (b) Demonstration of knowledge and skills.

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- (c) Evidence of annual review of skills.
- (d) Evidence of retraining when protocols are introduced or revised.

724.5 AUTHORIZED USE OF PROTOCOLS

Nursing staff may use a nursing assessment protocol only after they have been trained and authorized by the responsible physician. Nursing assessment protocols shall only be used after the nurse fully evaluates the patient's complaint and the patient's condition meets the appropriate criteria.

Continuous Quality Improvement

725.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a Continuous Quality Improvement (CQI) process of health care review in an effort to identify improvement needs in policies, processes or staff actions, and to develop and implement better health care strategies to improve the processes and outcomes of the health care services delivered at this facility.

725.2 POLICY

It is the policy of this office that an internal review and CQI process for inmate health care delivery and outcomes is developed and maintained, measurable goals and objectives are established and reviewed annually, and that the process itself is periodically reviewed and updated as needed. The process should be supervised by the Responsible Physician. The data evaluated should result in more effective access to services, an improved quality of care and a better utilization of resources.

725.3 CQI TECHNIQUES AND MONITORING

The CQI process may be applied to any aspect of health care delivery and health service outcomes, including, but not limited to, monitoring and reviewing the following:

- Quality of the medical charts, by the Responsible Physician or the authorized designee
- Investigations of complaints and grievances
- Corrective action plans and plan outcomes
- Deaths in custody, suicide attempts, sentinel events, and incident and management of serious communicable disease outbreaks
- Plans for employee education and training, using investigation findings
- Records of internal review activities
- Quarterly reports to the Responsible Physician and Jail Commander
- Legal requirements for confidentiality of medical records
- Credentialing (assessing and confirming qualifications), privileging (authorization to provide services), and training of employees and the associated peer review processes
- Condition and effectiveness of the care environment
- Adequacy and quality of supplies and equipment
- Quality of care provided to individual patients
- Accuracy and efficiency of pharmacy services and medication administration
- Ease of access to care

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- Risk minimization tactics
- Data describing the types, quality and quantity of care provided
- Accreditation compliance

725.4 CQI COMMITTEE MEETINGS

The jail CQI committee should meet quarterly under the direction of both the committee chair and the NaphCare Health Services Administrator. The CQI meetings may be conducted at the same time as quarterly administrative meetings.

The CQI minutes are not subject to disclosure outside of the CQI program, including requests from local, regional and national entities. Other interested parties with a need to know are only entitled to the disclosure of information that, (as defined by the National Commission on Correctional Health Care (NCCHC)) includes:

- (a) Problems that may have been identified.
- (b) Solutions that have been agreed upon.
- (c) Persons responsible for implementing the corrective action.
- (d) The time frame for implementing the corrective actions.

Continuation of Care

726.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain a proactive health system in the facility that fosters the continuation of health care needs that, if discontinued, would have a negative effect on the health of the inmate. The sole objective is to maintain or improve the health of the inmates. This policy is intended to ensure that inmates receive health services in keeping with current community standards as ordered by qualified health care professionals.

726.2 POLICY

It is the policy of this office that all inmates shall have access to the continuation of care for a health issue, provided the treatment plan meets community standards. The inmate's health care needs will be assessed by qualified health care professionals and continued as determined or referred after release (15 CCR 1206.5(a); 15 CCR 1210).

726.3 CONTINUITY OF CARE

The Jail Commander is responsible for coordinating with NaphCare Incorporated to ensure that all inmates receive the proper continuity of health care, including, but not limited to:

- (a) Newly booked inmates shall have a medical screening as part of the booking and classification process. This screening includes documentation of acute or chronic health issues or conditions, existing injuries and medications or treatments the inmate is currently receiving.
 - 1. If the inmate has a history of incarceration, the previous health records should be reviewed.
 - 2. Current medications will be verified and continued as deemed appropriate by the responsible physician or the authorized designee.
- (b) A health assessment is completed within 14 days of incarceration.
- (c) Individual treatment plans that are used to guide treatment. The format for planning may vary but should include, at a minimum:
 - 1. The frequency of follow-up for medical evaluation and adjustment of treatment modality.
 - 2. The type and frequency of diagnostic testing and therapeutic regimens.
 - 3. When appropriate, instructions about diet, exercise, medication and adaptation to the correctional environment.
 - 4. Custody staff is informed of the treatment plan when necessary to ensure coordination and cooperation in the ongoing care of the inmate.

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- (d) Reasonable effort should be made to obtain health information and records from previous health care providers, with the consent of the inmate, when the inmate has a medical problem that was being treated prior to incarceration.
- (e) Upon transfer to another facility, a medical discharge summary of the patient's current condition, medications and treatment plan will be forwarded in a sealed envelope to maintain confidentiality to the receiving facility.
- (f) Response to requests for health information from community providers, with the inmate's consent.
- (g) When inmates are sent out of the facility for emergency or specialty medical treatment, written information regarding the inmate's current medical status and treatment should be sent with the inmate. If an inmate's condition is such that it may result in death, the Jail Commander will be notified who shall ensure that the inmate's emergency contacts and next of kin are notified. Upon the inmate's return to the facility, treatment recommendations should be reviewed by the responsible physician or the authorized designee and appropriate plans should be made for continued care in the facility (15 CCR § 1206(e)).
- (h) Upon release from the facility, inmates should be given instructions for the continuity of care including, but not limited to:
 - 1. The name and contact information of community providers for follow-up appointments.
 - 2. Prescriptions and/or an adequate supply of medication called in to patient's pharmacy for those with chronic medical or psychiatric conditions.

Medical Equipment and Supply Control

727.1 PURPOSE AND SCOPE

This policy outlines the control and inventory process to be utilized in accounting for all medical equipment and supplies. Medical equipment and supplies can pose a hazard for both the inmate population and the staff. Unauthorized possession of medical equipment and supplies constitutes possession of contraband. Unauthorized use of medical equipment and supplies violates inmate rules detailed in the inmate handbook. Since it is necessary to have a well-stocked medical space within the secure perimeter of the facility, there must be a plan to ensure that equipment and medical supplies are accounted for and tightly controlled.

727.2 POLICY

It is the policy of this office that all medical equipment, including sharps, dental instruments, needles and other items must be tightly controlled so they cannot be used as weapons or to facilitate the injection of drugs or other substances. Additionally, these tools and supplies must be controlled to prevent exposure to biohazards.

727.3 STAFF RESPONSIBILITIES

It is the responsibility of the Jail Commander to ensure that the inmate handbook clearly defines the unauthorized possession and/or use of medical equipment and supplies as a rule violation that may result in discipline.

The Responsible Physician or the authorized designee shall create and maintain an inventory log for all medical equipment and supplies. This log will be utilized by medical personnel who work within the facility to track and control medical equipment and supplies. When not in use, all medical equipment and supplies shall be stored in a secure manner to prevent unauthorized access.

At the beginning of each shift, the qualified health care professional shall inventory the medical supplies and equipment within their control. Any time a disposable item is used, the log shall reflect its use and disposal. At the end of each shift, the qualified health care professional will conduct another inventory using the supply and equipment log, and reconcile any disposable supplies used during their shift.

If there is a discrepancy that indicates that medical supplies or equipment are missing, the Shift Supervisor shall be immediately notified. The Shift Supervisor shall initiate a search for the missing supplies and/or equipment. The Shift Supervisor shall document the incident and any actions taken and provide the Jail Commander with a complete report.

Informed Consent and Right to Refuse Medical Care

728.1 PURPOSE AND SCOPE

This policy recognizes that inmates have a right to make informed decisions regarding their health care. It establishes the conditions under which informed consent should be obtained prior to treatment, when medical care may proceed without consent, the documentation process for the refusal of medical care and the retention of refusal forms.

728.1.1 DEFINITIONS

Definitions related to this policy include:

Informed consent - The written agreement by an inmate to a treatment, examination or procedure. Consent is sought after the inmate has received the material facts about the nature, consequences and risks of the proposed treatment, the examination or procedure, the alternatives to the treatment and the prognosis if the proposed treatment is not undertaken in a language understood by the inmate.

728.2 POLICY

It is the policy of this office that generally, all health care examinations, treatments and procedures shall be conducted with the informed consent of the inmate.

There are a limited number of situations in which it is not necessary to obtain informed consent. Examples of exceptions are life-threatening conditions that require immediate medical intervention for the safety of the inmate, emergency care of patients who do not have the capacity to understand the information given, and certain public health matters. Any health care rendered without the consent of the inmate shall be in accordance with state and federal laws and regulations.

Any inmate may refuse, verbally or in writing, any medical, dental or mental health care. No inmate may be punished for exercising the right to refuse medical care.

The Jail Commander or the authorized designee, in cooperation with NaphCare Incorporated, shall be responsible for developing and maintaining treatment consent and refusal forms (Title 15 CCR § 1214).

For minors and conservatees, the informed consent of parent, guardian, or legal custodian applies where required by law. Absent informed consent in non-emergency situations, a court order is required before involuntary treatment can be administered to an inmate (Title 15 CCR § 1214).

728.3 INFORMED CONSENT

The qualified health care professional initiating treatment shall inform the inmate of the nature of the treatment and its possible side effects and risks, as well as the risks associated with not having the treatment.

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For invasive procedures or any treatment where there is some risk to the inmate, informed consent is documented on a written form containing the signatures of the inmate and a health services staff witness.

A signed informed consent shall be obtained and witnessed by the prescribing psychiatrist for the initiation of psychotropic medication.

Appropriate arrangements shall be made to provide language translation services as needed before an inmate signs any informed consent form.

For minors and conservatees, the informed consent of a parent, guardian or legal custodian applies where required by law. Absent informed consent in non-emergency situations, a court order is required before involuntary treatment can be administered to an inmate.

728.4 REFUSAL OF TREATMENT

When an inmate refuses medical, mental health or dental treatment or medication, he/she shall be counseled regarding the necessity of the treatment/medication and the consequences of refusal. The inmate shall then be requested to sign a form acknowledging that he/she refused an examination and/or treatment.

The form shall be filled out completely by the qualified health care professional and include the inmate's name, booking number, treatment/medication refused, the risks or consequences of refusal and the inmate's mental status. The form must be signed by the inmate and a witness.

In the event that the inmate refuses to sign, a notation to this effect shall be documented on the inmate signature line. This shall require a signed acknowledgement by two witnesses.

Documentation regarding the inmate's mental status shall be noted in the medical record, along with a brief note describing the intervention of the qualified health care professional.

The completed form is to be placed in the inmate's medical record.

It is the responsibility of the qualified health care professional to refer all refusal forms to the Responsible Physician.

Any time there is a concern about the decision-making capacity of the inmate, an evaluation shall be conducted, particularly if the refusal is for critical or acute care.

All refusals of psychotropic medication shall be referred to the Responsible Physician or the authorized designee.

Any time an inmate refuses to take his/her medication, attend sick call or a scheduled medical appointment, a signed refusal must be obtained by the qualified health care professional.

The refusal form shall be a permanent part of the inmate's medical record.

The inmate may revoke his/her refusal at any time.

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Informed Consent and Right to Refuse Medical Care

728.4.1 STERILIZATION

This office shall not perform any sterilization procedure on an inmate, without the inmate's consent, unless the procedure is necessary to save the inmate's life. A sterilization procedure may be performed with the inmate's consent under the following conditions (Penal Code § 3440(b)):

- (a) Less invasive measures are not available, have been refused by the inmate or have been deemed unsuccessful.
- (b) A second physician, approved to provide medical services for the facility, but not employed by the county, confirms the need for the procedure.
- (c) The inmate has been advised of the impact and side effects of the procedure, and that refusal will not affect his/her ability to receive future medical treatment.

If a sterilization procedure is performed, this office shall provide psychological consultation before and after the procedure, as well as the appropriate medical follow-up (Penal Code § 3440(c)).

The Records Manager shall also submit data annually to the Board of State and Community Corrections regarding the race, age, medical justification and method of sterilization for any sterilization procedure performed (Penal Code § 3440(d)).

728.5 RECORDS

The Jail Commander or the authorized designee shall work with the Responsible Physician to develop medical care consent and refusal forms and a system for retaining records in the inmate's health file in accordance with established records retention schedules.

Pharmaceutical Operations

729.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the procedures and protocols under which the facility must manage a pharmaceutical operation in order to comply with federal, state and local laws that govern prescribing and administering medication.

729.1.1 DEFINITIONS

Definitions related to this policy include:

Administration - The act of giving a single dose of a prescribed drug or biological substance to an inmate. Administration is limited to qualified health care professionals and health-trained custody staff members in accordance with state law.

Controlled substances - Medications classified by the Drug Enforcement Administration (DEA) as Schedule II-IV (21 USC § 812).

Delivery - The act of providing a properly labeled prescription container (e.g., a dated container that includes the name of the individual for whom the drug is prescribed, the name of the medication, dose and instructions for taking the medication, the name of the prescribing physician and expiration dates). Under these circumstances, a single dose at a time can be delivered to the inmate, according to the written instructions, by any qualified health care professional or health-trained custody staff member.

Dispensing - Those acts of processing a drug for delivery or administration to an inmate pursuant to the order of a qualified health care professional. Dispensing consists of:

- Comparing directions on the label with the directions on the prescription or order to determine accuracy.
- Selection of the drug from stock to fill the order.
- Counting, measuring, compounding or preparing the drug.
- Placing the drug in the proper container and affixing the appropriate prescription label to the container.
- Adding any required notations to the written prescription.

Dispensing does not include the acts of distributing, delivery or administration of the drug. The function of dispensing is limited to pharmacists and qualified health care professionals.

Distributing - The movement of a drug, in the originally labeled manufacturer's container or in a labeled pre-packaged container, from the pharmacy to a health care services area.

Dose - The amount of a drug to be administered at one time.

Drug - An article recognized in the United States Pharmacopoeia and National Formulary (USP-NF), the Homeopathic Pharmacopoeia of the United States or any supplement that is intended for

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use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans. A substance, other than food, intended to affect the structure or any function of the human body.

Pharmaceutical operations - The functions and activities encompassing the procurement, dispensing, distribution, storage and control of all pharmaceuticals used within the jail, the monitoring of inmate drug therapy, and the provision of inmate/patient drug information.

729.2 POLICY

It is the policy of this office that pharmaceutical operations meet all federal, state and local legal requirements and be sufficient to meet the needs of the facility population (15 CCR 1216).

729.3 PHARMACEUTICAL OPERATIONS

- (a) The Responsible Physician, in conjunction with the pharmacist, shall establish a list of all prescription and non-prescription medications available for inmate use.
 - 1. Drugs approved for use in the facility should promote safe, optimum and cost-efficient drug therapy.
 - 2. The list should be periodically updated.
- (b) The Responsible Physician, in conjunction with the pharmacist, shall ensure appropriate medication storage, handling and inventory control.
- (c) The Responsible Physician shall inspect the pharmaceutical operation quarterly and regularly review charts on medication utilization.
- (d) The Responsible Physician shall be responsible for establishing and maintaining a system for storing and accounting for controlled substances. A count of syringes, needles and controlled substances shall be taken and verified as correct and documented at the change of each shift by two qualified health care professional. An incorrect count shall be reported immediately to the Shift Supervisor. Medications shall be stored under proper conditions of security, segregation and environmental control at all storage locations.
 - 1. Medication shall be accessible only to legally authorized persons.
 - 2. Medication and device cabinets (stationary or mobile) shall be closed and locked when not in use.
 - 3. Controlled substances shall be stored and handled in accordance with DEA regulations.
 - 4. Medication requiring refrigeration shall be stored separately either in a refrigerator that is locked or in a refrigerator that is in a locked room and is used exclusively for medication and medication adjuncts. The inside temperature of this refrigerator shall be maintained between 36 and 46 degrees. The inside

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temperature shall be monitored and recorded daily on a refrigerator temperature log.

5. Antiseptics and other medications for external use shall be stored separately from internal and injectable medications.
- (e) Medication shall be kept in pharmacist-packaged or the original manufacturer's labeled containers. Medication shall only be removed from these containers to prepare a dose for administration. Drugs dispensed to inmates who are off grounds or are being discharged from the facility shall be packaged in accordance with the provisions of federal packaging laws (15 USC § 1471 et seq.) and any other applicable state and federal law.
- (f) Medication shall be properly labeled with the label firmly affixed to the prescription package. Each label shall indicate the name, address and telephone number of the dispensing pharmacy, in addition to:
 1. The medication name, strength, quantity, manufacturer, manufacturer's lot number or internal control number and expiration date.
 2. Directions for use, dispensing date and drug order expiration date. Accessory or cautionary labels shall be applied as appropriate.
 3. In cases where a multiple dose package is too small to accommodate the prescription label, the label may be placed on an outer container into which the multiple dose packages are placed.
- (g) Medication that is outdated, visibly deteriorated, unlabeled, inadequately labeled, discontinued or obsolete shall be stored in a separate secure storage area and disposed of in accordance with the following requirements:
 1. Controlled substances shall be disposed of in accordance with the state and federal regulations (15 CCR 1216(b)(8)).
 2. Unused, outdated or discontinued doses or excess inventories of non-controlled drugs that have not been in the possession of the inmate shall be returned to the pharmacy for disposition.
 3. Returned, non-controlled substances that have been in the possession of the inmate, unclaimed personal medication collected at intake, or individual doses of medication removed from the original pharmacy packaging shall be destroyed at the facility by health services staff and placed in the medical waste disposal system.
 4. Pharmaceutical waste shall be separated from other types of medical waste for handling and disposal purposes, and will be discarded in designated containers distinctly identified for medical waste.

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- (h) All medication preparation, storage and administration areas shall be clean, organized, illuminated, ventilated and maintained at an appropriate temperature range. Any mobile medication cart that is not being used in the administration of medication to inmates shall be stored in a locked room that meets similar requirements.
- (i) Current drug reference information, such as a Physician's Desk Reference (PDR) or an approved website, shall be available to staff.
- (j) An annual report on the status of the pharmaceutical operation will be prepared by the pharmacist and provided to the Responsible Physician and the Jail Commander.

729.4 PRESCRIBING MEDICATIONS

All medications shall be prescribed in a safe and effective manner for clinically appropriate reasons and documented in the individual patient medical record. Records shall be retained in accordance with established records retention schedules (15 CCR 1216; 15 CCR 1217).

- (a) Any medication prescribed by a qualified health care professional shall specify the drug name, strength, dose, route, frequency, discontinuation date and indication for use if the medication is intended to be used as needed. Medication shall not be prescribed for an indefinite period. The qualified health care professional shall review medication regimens at specified time intervals. An order to continue or discontinue any medication shall be documented in the medical record, which will supersede any earlier orders for that medication. A physician's signature should be required on all verbal orders within 72 hours of the order.
- (b) Any medication prescription that is not complete or is questionable shall not be prepared until clarification is received from the qualified health care professional. Staff shall make an effort to obtain prescription clarification in a timely manner.
- (c) Medication shall only be ordered upon approval of the Responsible Physician. Medication shall be prescribed and ordered from the facility list of approved medications unless the Responsible Physician approves otherwise.
- (d) Some inmates may be permitted to possess and self-administer some medications when monitored and controlled, in accordance with this policy.
- (e) Apparent adverse drug reactions shall be recorded in the inmate's health record by the qualified health care professional.
- (f) The qualified health care professional shall notify the Shift Supervisor of all known medication errors in a timely manner. Medication error reports shall be completed on all known medication errors.

729.5 PER DOSE MEDICATION ADMINISTRATION

Psychotropic medication, controlled substances, tuberculosis (TB) medication, seizure medication and those listed as directly observed therapy (DOT) shall be administered to inmates on a per

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dose basis. Health-trained custody staff members may administer medication on the order of the Responsible Physician or a qualified health care professional (15 CCR 1216(b)).

- (a) Each medication ordered on a per dose basis for individual inmates shall be kept in the medication room of the facility.
- (b) Medication dispensing envelopes bearing the inmate's name, booking number, housing location and the medication and its dosing schedule shall be generated for each inmate receiving per dose medication. These shall be administered from the individually packaged supply and delivered to the patient at each scheduled medication time.
- (c) The qualified health care professional or health-trained custody staff member will confirm the inmate's identity prior to administering the medication by comparing the name/booking number on the dispensing envelope with the inmate's identification badge/armband.
 - 1. Inmates should have a fluid container and adequate fluid to take the medication being administered.
 - 2. The qualified health care professional or health-trained custody staff member should observe the inmate taking the medication to prevent "cheeking" or "palming".
 - 3. The qualified health care professional or health-trained custody staff member should inspect the inmate's mouth after the inmate swallows the medication to ensure it was completely ingested. If the inmate appears to be "cheeking" the medication, a chart entry will be made and a notation entered on the medication envelope, as well as the back of the Medication Administration Record (MAR). Custody staff shall be immediately notified of the suspected "cheeking" and shall follow-up with the appropriate security, corrective and/or disciplinary action.
- (d) The qualified health care professional or health-trained custody staff member shall record each medication administered by initialing the appropriate date and time. The qualified health care professional or health-trained custody staff member shall authenticate the initials by placing his/her initials, signature or name stamp in the designated area on the lower portion of the MAR. Pre-charting is not allowed.
 - 1. In the event that medication cannot be administered (for example, the inmate is in court or the medication is not in stock), a note explaining the situation and planned action shall be made on the back of the MAR or on a progress note.
- (e) The qualified health care professional or health-trained custody staff member shall have inmates who refuse their medication sign a refusal form at the medication round. If the inmate willfully refuses to sign the refusal form, the qualified health care professional or health-trained custody staff member shall advise custody staff, who should attempt to resolve the situation through voluntary compliance, by reminding

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the inmate that a refusal to sign may lead to disciplinary action. The qualified health care professional or health-trained custody staff member shall also:

1. Note the refusal on the medication log including the date and time.
 2. Review the medication logs for prior refusals.
 3. Document patterns of refused medications on the inmate's medical record.
 4. Make a reasonable effort to convince the inmate to voluntarily continue with the medication as prescribed.
 5. Report continued refusals to the Responsible Physician and have the inmate complete and sign a medication refusal form.
- (f) No inmate should be deprived of prescribed medication as a means of punishment.

729.6 NON-PRESCRIPTION MEDICATION

Any over-the-counter non-prescription medication available to inmates for purchase in the facility commissary shall be approved by the Jail Commander and the Responsible Physician and reviewed annually (15 CCR 1216(c)).

The Jail Commander and the Responsible Physician should establish a limit on the amount of non-prescription medication an inmate may purchase and have in his/her possession at any time. Inmates with medication in an amount above the proscribed limit may be subject to disciplinary sanctions.

729.7 TRAINING

All health-trained custody staff members authorized to deliver, administer and provide medication assistance shall be trained prior to engaging in any tasks related to delivery or administration of medication.

Release Planning

730.1 PURPOSE AND SCOPE

This office recognizes that inmates may require information and assistance with health care follow-up upon release from custody. The purpose of this policy is to establish guidelines to assist staff with providing resources for the continuity of an inmate's health care after he/she is released from custody.

730.1.1 DEFINITION

Definitions related to this policy include:

Release planning - The process of providing sufficient resources for the continuity of health care to an inmate before his/her release to the community.

730.2 POLICY

The qualified health care professional should work with correctional staff to ensure that inmates who have been in custody for 30 or more days and have pending release dates, as well as serious health, dental or mental health needs, are provided with medication and health care resources sufficient for the inmate to seek health care services once released.

The Jail Commander or the authorized designee shall be responsible for ensuring that release preparation curriculum and materials are developed and maintained for this purpose, and that community resource information is kept current. Release planning should include:

- (a) Resources for community-based organizations that provide health care services, housing, funding streams, employment and vocational rehabilitation.
- (b) Lists of community health professionals.
- (c) Discussions with the inmate that emphasize the importance of appropriate follow-up care.
- (d) Specific appointments and medications that are arranged for the inmate at the time of release.

730.3 PREPARATION FOR RELEASE

Upon notification of the imminent release of an inmate who has been identified as having serious medical or mental health needs, release planning shall include the following:

- (a) A medical screening shall be conducted to assess the inmate's immediate medical needs, and arrangements shall be made for community follow-up where needed, including sufficient medication.
- (b) With the inmate's written consent, the health services staff shall:
 - 1. Share necessary information with outside providers.
 - 2. Arrange for follow-up appointments.

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3. Arrange for the transfer of health summaries and relevant parts of the health record to community providers or others who are assisting in planning for or providing services upon the inmate's release.
 - (c) Contact with community providers shall be documented via an administrative note in the inmate's health record.
 - (d) Inmates with serious mental health issues, including those receiving psychotropic medication, shall be informed about community options for continuing treatment and provided with follow-up appointments, when possible.
 - (e) Prescriptions will be called in to the patient's pharmacy for a small supply of needed medication.

730.4 RELEASE PLANNING RECORDS

All records of community referrals, transfer forms, logs, documentation of release planning, lists of medication provided, records release authorization forms and any other relevant documents shall be maintained in the inmate's health file and retained in accordance with established records retention schedules.

Oral Care

731.1 PURPOSE AND SCOPE

The intent of this policy is to ensure that inmates have access to dental care and treatment for serious dental needs. While the focus of this policy is primarily on urgent and emergent dental care, as with medical or mental health care, dental care is available based upon patient need.

731.1.1 DEFINITIONS

Definitions related to this policy include:

Infection control practices - Are defined by the American Dental Association (ADA) and the Centers for Disease Control and Prevention (CDC) as including sterilizing instruments, disinfecting equipment and properly disposing of hazardous waste.

Oral care - Includes instruction in oral hygiene, examinations and treatment of dental problems. Instruction in oral hygiene minimally includes information on plaque control and the proper brushing of teeth.

Oral examination - Includes taking or reviewing the patient's oral history, an extra-oral head and neck examination, charting of teeth, and examination of the hard and soft tissue of the oral cavity with a mouth mirror, explorer and adequate illumination.

Oral screening - Includes visual observation of the teeth and gums, and notation of any obvious or gross abnormalities requiring immediate referral to a dentist.

Oral treatment - Includes the full range of services that in the supervising dentist's judgment are necessary for proper mastication and for maintaining the inmate's health status.

731.2 POLICY

It is the policy of this office that oral care is provided under the direction of a dentist licensed in this state and that care is timely and includes immediate access for urgent or painful conditions. There are established priorities for care when, in the dentist's judgment, the inmate's health would otherwise be adversely affected (15 CCR 1215).

731.3 ACCESS TO DENTAL SERVICES

Emergency and medically required dental care is provided to each inmate upon request. Dental services are not limited to extractions. It is the goal of dental services to alleviate pain and suffering, ensure that inmates do not lose teeth merely as a consequence of incarceration and to provide appropriate dental service whenever medically required to maintain nutrition (15 CCR 1215).

Access to dental services should be as follows:

- (a) All inmates wishing to see the dentist for a non-emergency issue shall complete a sick call form. Requests should be triaged according to the nature and severity of the problem and should be seen by a dentist according to assigned priority. Inmates

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requesting dental services on weekends or after hours will initially be evaluated by a qualified health care professional and referred appropriately.

- (b) If an inmate suffers obvious trauma or other dental emergency, the qualified health care professional may arrange for immediate access to a dentist or may transfer the inmate to an emergency room for treatment.
- (c) Inmates who are furloughed or sentenced to work release or another form of community release may see their own dentist pursuant to approval of scheduling arrangements with facility medical and custody staff. The inmate will be financially responsible for any payment. The Office is under no obligation to the inmate to this appointment.
- (d) Records documenting all dental treatment should be maintained in the inmate's medical record file and retained in accordance with established records retention schedules. Examination results should be recorded on a uniform dental record using a numbered system.
- (e) Medications prescribed by a dentist should be administered in accordance with pharmacy procedures and documented in the inmate's medical record.
- (f) Necessary dental services identified by a dentist that are not available on-site should be provided by referral to community resources as deemed necessary by the facility dentist.

731.4 DENTAL CARE OPTIONS

Inmates shall be offered a dental screening by health care personnel or a dentist within 14 days of incarceration, unless such a screening was completed within the past six months. This dental screening will include an evaluation of the current dental status and instruction on oral hygiene and preventive oral education.

Inmates who are scheduled to be incarcerated for less than 12 months shall have access to the treatment of dental pain, fillings, extractions of non-restorable teeth, gross debridement of symptomatic areas, and repair of partials and dentures.

Inmate Health Care Communication

732.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain effective communication between the treating qualified health care professionals and custody personnel. This communication is essential at all levels of the organization to ensure the health and safety of all occupants of the facility.

732.2 POLICY

It is the policy of this office that effective communication shall occur between the Jail Commander and the treating qualified health care professionals regarding any significant health issues of an inmate. All health issues should be considered during classification and housing decisions in order to preserve the health and safety of the occupants of this facility.

When a qualified health care professional recognizes that an inmate will require accommodation due to a medical or mental health condition, custody personnel shall be promptly notified in writing.

The Jail Commander shall be responsible for establishing measurable goals relating to processes that enhance good communication between the qualified health care professionals and the custody staff. The Jail Commander should also establish, in writing, the desired performance objectives relating to practices that support good communication between the qualified health care professionals and the custody staff. The Jail Commander should review the documents annually for any necessary revisions or updates in support of continuous improvement in the delivery of health care services.

732.3 MANAGING SPECIAL NEEDS INMATES

Upon an inmate's arrival at the facility, the qualified health care professional, in conjunction with the custody staff, should determine if the inmate has any special needs.

- (a) If staff determines that an inmate has special needs, a communication form or other appropriate documentation relating to special needs should be completed and sent to classification personnel, the Shift Supervisor and the housing officer. This is to ensure that the inmate is assigned to a housing unit that is equipped to meet his/her special needs.
- (b) The qualified health care professional should arrange for the appropriate follow-up evaluation.
- (c) The health care of special needs inmates should be continuous and ongoing. At minimum, the inmate should be seen by the Responsible Physician or a qualified health care professional at least once every 90 days to evaluate his/her continued designation as a special needs inmate.

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- (d) Inmates who have been determined by qualified health care professionals to require a special needs classification should be seen at least once monthly by a qualified health care professional.
- (e) Prior to transfer to another facility, a medical transfer summary should be completed detailing any special requirements that should be considered while the inmate is in transit and upon his/her arrival at the destination. Discharge planning should be included, as appropriate.
- (f) A treatment plan should be developed for each inmate and should include, at a minimum:
 - 1. The frequency of follow-up for medical evaluation and anticipated adjustments of the treatment modality.
 - 2. The type and frequency of diagnostic testing and therapeutic regimens.
 - 3. When appropriate, instructions about diet, exercise, adaptation to the correctional environment and using prescribed medications.
- (g) When clinically indicated, the qualified health care professionals and the custody personnel should consult regarding the condition and capabilities of inmates with known medical and/or psychiatric illnesses or developmental disabilities prior to any of the following:
 - 1. Housing assignment
 - 2. Program or job assignment
 - 3. Admissions to, and transfers from or between institutions
 - 4. Disciplinary measures for mentally ill patients
- (h) Qualified health care professionals and custody personnel should communicate about inmates who require special accommodation. These include, but are not limited to, inmates who are:
 - 1. Chronically ill
 - 2. Undergoing dialysis
 - 3. In an adult facility, as an adolescent
 - 4. Infected with a communicable disease
 - 5. Physically disabled
 - 6. Pregnant
 - 7. Frail or elderly
 - 8. Terminally ill
 - 9. Mentally ill or suicidal

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10. Developmentally disabled

732.4 NOTIFICATION TO SUPERVISORS

In the event that there is no mutual agreement regarding an individual or group of inmates who require special accommodation for medical or mental health conditions, supervisors in the respective chain of command within the health care and custody staff should address these issues.

732.5 NOTIFICATION TO THE AGENCYHEAD FOR MEDICAL RELEASE

Supervisors, through the chain of command, should advise the Sheriff when a terminally ill inmate may be appropriate for early release or medical probation under Government Code § 26605.6 because the inmate would not reasonably pose a threat to public safety and the inmate has a life expectancy of six months or less, or the inmate requires 24-hour care or acute long-term inpatient rehabilitation services.

Forensic Evidence

733.1 PURPOSE AND SCOPE

The purpose of this policy is to maintain credibility between the inmates and the facility's qualified health care professionals by establishing clear guidelines restricting facility health care professionals from participating in the collection of forensic evidence for disciplinary or legal proceedings.

733.1.1 DEFINITION

Definitions related to this policy include:

Forensic evidence - Physical or psychological data collected from an inmate that may be used against the inmate in disciplinary or legal proceedings.

733.2 POLICY

Health care services staff are prohibited from participating in the collection of forensic evidence or performing psychological evaluations for disciplinary or legal proceedings.

Health services staff should be not involved in the collection of forensic evidence .

Health care services staff may collect blood or urine for testing for alcohol or drugs when it is done for medical purposes and under a physician's order. Health care services staff may conduct inmate-specific court-ordered laboratory tests and examinations or radiology procedures with the consent of the inmate.

Included in the procedures that health care services staff is prohibited from involvement are:

- (a) Body cavity searches.
- (b) Psychological evaluations for use in adversarial proceedings.
- (c) Blood draws for lab studies ordered by the court, without inmate consent.
- (d) Any medical procedure, except emergency lifesaving measures, that does not have the inmate's written consent.

It shall be the responsibility of the Sheriff or the authorized designee to arrange for appropriately trained professionals to collect forensic evidence for disciplinary or legal proceedings.

Management of Health Records

734.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a uniform manner of maintaining the active health records of inmates for easy accessibility during clinical treatment, and the storage methods for inactive health records. This policy also addresses practices that will ensure the confidentiality of health record information by separating it from custody records.

734.1.1 DEFINITIONS

Definitions related to this policy include:

Protected health information - Information that relates to the inmate's past, present or future physical or mental health or condition, the provision of medical care to the inmate, or the past, present or future payment for the provision of health care to the inmate (45 CFR 160.103).

734.2 POLICY

It is the policy of the office that active inmate health records will be maintained in the medical clinic area, in booking number order, for easy accessibility during treatment. Inmate health records shall be maintained separately from custody records and under secure conditions, in compliance with all local, state and federal requirements.

The NaphCare Health Services Administrator and responsible physician or the authorized designee shall establish standardized procedures for recording information in the file and for the control and access to inmate health records. Inmate workers shall not have any access to inmate health records.

734.3 INITIATING A HEALTH RECORD

Following the receiving screening process, nursing staff shall initiate a health record for each inmate who requires or requests additional health care. The NaphCare Health Services Administrator shall be responsible for developing and implementing procedures for standardized record formatting (Title 15 CCR § 1205 et seq.).

734.4 CONFIDENTIALITY OF INMATE HEALTH RECORDS

Information regarding an inmate's health status is confidential. Active health records shall be maintained separately from custody records. Access to an inmate's health record shall be in accordance with state and federal law. Inmate workers shall not be used for medical record keeping activities.

The inmate's health record, except for mental health information, may be disclosed, with the inmate's written authorization, to any person so designated. A fully completed authorization for release and/or a disclosure of medical information form shall be required prior to disclosure (Title 15 CCR §§ 1205(b) et seq.).

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The inmate's medical information may be disclosed without the inmate's authorization under the following circumstances and when approved by the NaphCare Health Services Administrator, the chief medical officer, other physicians or nursing supervisors:

- (a) To known health care professionals who are members of the health care team responsible for the inmate's care.
- (b) To a family member. However, the only information that may be released is the inmate's custody status and whether the inmate is receiving medical care.
- (c) To correctional staff regarding inmates in the any of following categories:
 - 1. Suicidal
 - 2. Homicidal
 - 3. A clear custodial risk
 - 4. Presenting a clear danger of injury to self or others
 - 5. Gravely disabled
 - 6. Receiving psychotropic medications
 - 7. A communicable disease risk
 - 8. In need of special housing
- (d) To the local public health officer when an inmate is part of a communicable disease investigation.
- (e) To the presiding judge of the court issuing a subpoena duces tecum.

Attorneys requesting health record information regarding an inmate shall be advised that an authorization for release and/or a disclosure of medical information form or an attorney release form signed by the inmate is required. The signed release form shall be given to the medical records clerk for processing.

734.4.1 ADDITIONAL STATE PRIVACY PROTECTIONS

The health services administrator and Responsible Physician or the authorized designee shall ensure that privacy protections comply with state law requirements regarding privacy and confidentiality applicable to the specific type of medical records requested, including:

- (a) Records associated with human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS) (Health and Safety Code § 121025).
- (b) Records of patients in alcohol or substance abuse treatment programs (Health and Safety Code § 11845.5).

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734.5 HEALTH RECORD CONTENTS

- (a) To standardize record keeping among the various providers contributing to the same file and to identify responsibilities, the following shall apply to inmate health records (15 CCR § 1205):
 - 1. The nursing supervisor or the authorized designee shall be responsible for ensuring that all required information and forms are included in the medical records. There shall also be a periodic informal review as described in the Continuous Quality Improvement Policy in this manual.
 - 2. The nursing supervisor or the authorized designee shall be responsible for ensuring that written findings and recommendations from off-site health care providers are returned with the patient from any off-site visit, and filed in the inmate's medical record.
- (b) Inmate health records shall minimally contain, but are not limited to, the following elements:
 - 1. Identifying information (e.g., inmate name, identification number, date of birth, gender) on each sheet in the file
 - 2. A completed inmate medical screening form
 - 3. Health appraisal information and data forms
 - 4. A problem summary, containing medical and mental health diagnoses and treatments as well as known allergies
 - 5. Immunization records, if available
 - 6. Progress notes of all significant findings, diagnoses, treatments and dispositions
 - 7. Clinician orders for prescribed and administered medications
 - 8. X-ray and laboratory reports and diagnostic studies
 - 9. A record of the date, time and place of each clinical encounter with inmates
 - 10. Health service reports
 - 11. Individualized treatment plans when available or required
 - 12. Consent and refusal forms
 - 13. Release of information authorization forms
 - 14. Results of specialty consultations and off-site referrals
 - 15. Special needs treatment plans, if applicable

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734.6 ACTIVE HEALTH RECORDS

Active inmate health records will be stored in the medical clinic, in booking number order, and will be accessible only to health care personnel.

All entries in the inmate health record will have the place, date, time, signature and title of each provider, and shall be legible.

Documentation in the health record is done in the subjective, objective, assessment and plan format. An inmate health record is initiated at the first health encounter following the receiving screening.

If an inmate has been previously incarcerated, the previous health record should be reactivated. If a new record has been initiated and a previous record exists, medical records personnel shall merge the two records in order to compile a complete history.

New information shall be entered on the health record at the completion of each encounter. All inmate health records shall be returned to the medical records department at the end of each day.

734.7 INACTIVE MEDICAL RECORDS

When an inmate is released from custody, medical records personnel should remove the inmate's health record from the active file.

The health record should be reviewed for completeness. Any loose documents should be filed according to the established health record format.

The health record should be securely stored in the area designated for inactive inmate health records, in accordance with established records retention schedules but no less than 10 years from the date of the last clinical encounter. Adult records and juvenile records may have different jurisdictional retention requirements.

Inactive inmate medical records may be stored off-site. Health record information from inactive files may be transmitted to specific and designated physicians or medical facilities upon the written request or authorization of the inmate.

734.8 HIPAA COMPLIANCE

The Jail Commander, in consultation with the Responsible Physician, shall ensure that a health record protection and disclosure compliance plan conforming to the requirements of HIPAA is prepared and maintained. The plan should detail all necessary procedures for security and review of the access and disclosure of protected health information.

At minimum, the plan will include:

- Assignment of a HIPAA compliance officer, who is trained in HIPAA compliance and will be responsible for maintaining procedures for and enforcing HIPAA requirements, including receiving and documenting complaints about breaches of privacy.

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- Ongoing training on HIPAA requirements, depending on the level of access the member has to protected health information.
- Administrative, physical and technical safeguards to protect the privacy of protected health information.
- Procedures for the permitted or required use or disclosure of protected health information and the mitigation of harm caused by improper use or disclosure.
- Protocol to ensure privacy policies and procedures, any privacy practices notices, disposition of any complaints, and other actions, activities, and designations required to be documented, are maintained for at least six years after the date of creation or last effective date, whichever is later.

734.9 ELECTRONIC MEDICAL RECORDS

If medical records are maintained in an electronic format, the system should be structured with redundancies to ensure the records will survive any system failure.

Privacy of Care

735.1 PURPOSE AND SCOPE

This policy recognizes that inmates have a right to privacy and confidentiality regarding their health-related issues. It also recognizes inmates' right to health care services that are provided in such a manner as to ensure that privacy and confidentiality, and encourage inmates use and trust of the facility's health care system.

735.1.1 DEFINITION

Definitions related to this policy include:

Clinical encounters - Interactions between inmates and health care professionals involving a treatment and/or an exchange of confidential health information.

735.2 POLICY

It is the policy of this office that, in order to instill confidence in the health care system by the inmate population, all discussions of health-related issues and clinical encounters, absent an emergency situation, will be conducted in a setting that respects the inmate's privacy and encourages the inmate's continued use of health care services.

735.3 CLINICAL EVALUATIONS

Emergency evaluations and rendering of first aid should be conducted at the site of the emergency, if reasonably practicable, with transfer to the medical clinic or emergency room as soon as the inmate is stabilized.

Inmates shall have a same-sex escort for encounters with an opposite-sex qualified health care professional or health-trained staff member, as appropriate.

Custody personnel should only be present to provide security if the inmate poses a risk to the safety of the qualified health care professional or others.

735.4 REPORTING INAPPROPRIATE ACCESS OF MEDICAL INFORMATION

The Jail Commander and Responsible Physician shall establish a process for staff, inmates or any other persons to report the improper access or use of medical records.

735.5 TRAINING

All corrections personnel, interpreters and qualified health care professionals who are assigned to a position that enables them to observe or hear qualified health care professional/inmate encounters shall receive appropriate training on the importance of maintaining confidentiality when dealing with inmate health care. The Training Sergeant shall be responsible for scheduling such training and for maintaining training records that show the employee attended, in accordance with established records retention schedules.

Chapter 8 - Environmental Health

Sanitation Inspections

800.1 PURPOSE AND SCOPE

The Kings County Sheriff's Office has established a plan to promote and comply with the environmental safety and sanitation requirements established by applicable laws, ordinances and regulations. This policy establishes a plan of housekeeping tasks and inspections required to identify and correct unsanitary or unsafe conditions or work practices in this facility.

800.2 RESPONSIBILITIES

The Jail Commander will ensure that the safety and sanitation plan addresses, at a minimum, the following (15 CCR 1280):

- (a) Schedules of functions (e.g., daily, weekly, monthly or seasonal cleaning, maintenance, pest control, safety surveys)
- (b) Self-inspection checklists to identify problems and to ensure cleanliness of the facility.
- (c) Procedures, schedules and responsibilities for coordinating annual inspections by the county health department, including how deficiencies on the inspection report are to be corrected in a timely manner.
- (d) A list of approved equipment, cleaning compounds, chemicals and related materials used in the facility, and instructions on how to operate, dilute or apply the material in a safe manner.
- (e) Record-keeping of self-inspection procedures, forms and actions taken to correct deficiencies.
- (f) Training requirements for custody staff and inmate workers on accident prevention and avoidance of hazards with regard to facility maintenance.

Consideration should be given to general job descriptions and/or limitations relating to personnel or inmates assigned to carrying out the plan. Specialized tasks, such as changing air filters and cleaning ducts or facility pest control, are more appropriately handled by the Office or by contract with private firms.

Inmates engaged in sanitation duties shall do so only under the direct supervision of qualified custody staff. When inmate work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

All staff shall report any unsanitary or unsafe conditions to a supervisor. Staff shall report repairs needed to the physical plant and to equipment by submitting a work order to a supervisor. Shift Supervisors will conduct cleaning inspections on a daily basis. The Jail Commander or the authorized designee will conduct weekly safety and sanitation inspections of the facility.

800.3 WORK ORDERS

All reports of unsafe or unsanitary conditions, as well as repairs needed to the physical plant and equipment, shall be documented in a work order. The Jail Commander will designate a staff

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person to receive these work orders and take appropriate action to ensure the repairs are made or action is taken. All work and action taken will also be documented. Requests for budget resources above and beyond already budgeted maintenance items shall be reported to the Jail Commander.

800.4 SAFETY DATA SHEETS

Materials and substances used in the operation and maintenance of the facility may qualify as hazardous material. Hazardous material is required to have a companion Safety Data Sheet (SDS) that is provided by the manufacturer or distributor of the material. The SDS provides vital information on individual hazardous materials and substances, including instructions on safe handling, storage, disposal, prohibited interactions and other details relative to the specific material.

The Jail Commander shall be responsible for ensuring that a written hazard communication plan is developed, implemented and maintained at each workplace. Each area of the facility in which any hazardous material is stored or used shall maintain an SDS file in an identified location that includes (29 CFR 1910.1200(e)(1)):

- (a) A list of all areas where hazardous materials are stored.
- (b) A physical plant diagram and legend identifying the storage areas of the hazardous materials.
- (c) A log for identification of new or revised SDS materials.
- (d) A log for documentation of training by users of the hazardous materials.

800.4.1 SDS USE, SAFETY AND TRAINING

All supervisors and users of SDS information must review the latest issuance from the manufacturers of the relevant substances. Staff and inmates shall have ready and continuous access to the SDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)):

- (a) Supervisors shall conduct training for all staff and inmates on using the SDS for the safe use, handling and disposal of hazardous material in areas they supervise.
- (b) Upon completion of the training, staff and inmates shall sign the acknowledgement form kept with each SDS in their work area.
- (c) Staff and inmates using the SDS shall review the information as necessary to be aware of any updates and to remain familiar with the safe use, handling and disposal of any hazardous material.

800.4.2 SDS DOCUMENTATION MAINTENANCE

Changes in SDS information occur often and without general notice. Any person accepting a delivery, addition or replacement of any hazardous material shall review the accompanying SDS. If additions or changes have occurred, the revised SDS shall be incorporated into the file and a notation shall be made in the SDS revision log.

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Supervisors shall review SDS information in their work areas semiannually to determine if the information is current and that appropriate training has been completed. Upon review, a copy of the SDS file and all logs shall be forwarded to the Maintenance Supervisor or the authorized designee.

800.4.3 SDS RECORDS MASTER INDEX

The Maintenance Supervisor or the authorized designee will compile a master index of all hazardous materials in the facility, including locations, along with a master file of SDS information. He/she will maintain this information in the safety office (or equivalent), with a copy to the local fire department. Documentation of the semiannual reviews will be maintained in the SDS master file. The master index should also include a comprehensive, current list of emergency phone numbers (e.g., fire department, poison control center) (29 CFR 1910.1200(g)(8)).

800.4.4 CLEANING PRODUCT RIGHT TO KNOW ACT

In addition to SDS information, printable information regarding ingredients of certain products used by staff and inmates shall be readily accessible and maintained in the same manner as an SDS (Labor Code § 6398.5; Health and Safety Code § 108952(f); Health and Safety Code § 108954.5(c)).

Hazardous Waste and Sewage Disposal

801.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system for disposing of hazardous waste. The Office recognizes that the effectiveness of a disposal system depends not only on the written policies, procedures and precautions, but on adequate supervision and the responsible behavior of the staff and inmates. It is the responsibility of everyone in the facility to follow hazardous waste disposal instructions, utilizing prescribed precautions and using safety equipment properly.

801.1.1 DEFINITION

Hazardous waste - Material that poses a threat or risk to public health or safety, or is harmful to the environment (e.g., batteries, paints, solvents, and cleaning products).

801.2 POLICY

It is the policy of this office that any hazardous waste generated at the facility shall be handled, stored and disposed of safely and in accordance with all applicable federal and state regulations.

801.3 DISPOSAL PROCEDURE

Hazardous waste generated in the facility shall be properly disposed in designated containers and stored until removed by the contractor. Kings County Building Maintenance Department will dispose of all hazardous waste.

801.3.1 SEWAGE DISPOSAL

All sewage and liquid waste matter must be disposed of into a public system of sewerage or, if public sewerage is not available, into a private system of sewage disposal in accordance with the requirements of the local public health entity.

The institution's use of the private system must be discontinued and the private system must be properly abandoned when public sewerage becomes available.

801.3.2 HAZARDOUS WASTE

Hazardous waste generated in the facility shall be properly disposed of in designated containers and stored until removed by the contractor. Staff shall use universal standard precautions when in contact with hazardous materials, at a minimum, unless directed otherwise.

801.4 SAFETY EQUIPMENT

The Jail Commander and the county emergency manager shall ensure that appropriate safety equipment is available. All supervisors shall be knowledgeable in how to access the safety equipment at all times. The county may coordinate with local fire departments or contracted vendors to obtain the necessary safety equipment.

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801.5 TRAINING

The Training Sergeant shall be responsible for ensuring that all facility personnel receive appropriate training in the use of appropriate safety equipment and the identification, handling and disposal of hazardous waste. Training records shall be maintained, including the course roster, curriculum, instructor name and credentials, and testing instruments.

801.6 SUPERVISOR RESPONSIBILITY

Supervisors are responsible for monitoring any hazardous waste containment issue, ensuring that employees have the appropriate safety equipment, that any exposed persons receive immediate medical treatment, and that the appropriate measures are taken to lessen the exposure of others. Supervisors shall ensure that incident reports are completed and forwarded to the Jail Commander in the event of an exposure to staff, inmates or visitors.

Housekeeping and Maintenance

802.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that the facility is kept clean and in good repair in accordance with accepted federal, state and county standards.

802.2 POLICY

The Jail Commander shall establish housekeeping and maintenance plans that address all areas of the facility. The plan should include, but is not limited to (15 CCR 1280):

- Schedules that determine the frequency of cleaning activities on a daily, weekly or monthly timetable, by area of the facility.
- Supervision of the staff and inmates to ensure proper implementation of the procedures and to ensure that no inmate supervises or assigns work to another inmate.
- Development and implementation of an overall sanitation plan (e.g., cleaning, maintenance, inspection, staff training, inmate supervision).
- Development of inspection forms.
- All inmate responsibilities, which should be included in the inmate handbook.
- A process to ensure that deficiencies identified during inspections are satisfactorily corrected and documented.
- Detailed processes for the procurement, storage and inventory of cleaning supplies and equipment.
- A process for the preventive maintenance of equipment and systems throughout the facility.
- Staff supervision of the provision and use of cleaning tools and supplies.

To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic or otherwise harmful substances used for cleaning shall be clearly labeled and kept in a locked storage area.

802.3 SANITATION SCHEDULE

A daily, weekly and monthly cleaning schedule will be established by the housing unit supervisor. The facility staff should implement a site specific plan for cleaning and maintenance of each area of the jail (housing, food preparation, laundry, loading dock/trash storage, barber shop, warehouse, common areas). The following is a recommended breakdown of what should be addressed during each of the scheduled cleanings:

- (a) Daily cleaning:

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1. Sweep and then wet mop the entire jail floor
 2. Clean all cell block areas
 3. Empty all trash receptacles
 4. Clean all toilets and sinks
 5. Clean all showers
- (b) Weekly cleaning:
1. Dust bars and window ledges
 2. Clean air conditioning/heating grates
 3. Clean mattresses (mattresses are also to be cleaned prior to being issued to a new inmate)
 4. Pour water down floor drains to test for flow
- (c) Monthly cleaning:
1. Walls
 2. Ceilings
 3. Bunk pans

802.3.1 TRAINING

All custodial staff and inmate workers assigned cleaning duties shall receive instruction commensurate with their tasks, including proper cleaning techniques, the safe use of cleaning chemicals and areas of responsibility.

802.4 SELF-INSPECTION CHECKLIST

The housing unit and booking supervisor should develop a self-inspection checklist that includes the cleaning and maintenance items that will be checked on a daily basis throughout the facility.

The self-inspection checklist will closely correspond to the established cleaning and maintenance schedule.

The Jail Commander or the authorized designee shall review and update the self-inspection checklist at least annually.

Physical Plant Compliance with Codes

803.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the timeline, process and responsibilities for facility maintenance, inspections and equipment testing in compliance with all applicable federal, state and local building codes.

803.2 POLICY

It is the policy of this office that all construction of the physical plant (renovations, additions, new construction) will be reviewed and inspected in compliance with all applicable federal, state and local building codes. All equipment and mechanical systems will be routinely inspected, tested and maintained in accordance with applicable laws and regulations.

803.3 RESPONSIBILITIES

The Jail Commander shall be responsible for establishing and monitoring the facility maintenance , the self-inspections of the Shift Supervisors and deputies, and ensuring that any deficiencies discovered are corrected in a timely manner.

Copies of the local jurisdiction's applicable health and sanitation codes shall be kept in the facility by the Jail Commander or the authorized designee.

803.4 PROCEDURE

All safety equipment (emergency lighting, generators, and an uninterruptible power source shall be tested. Power generators should be inspected and load-tested according to the manufacturer's instructions. All completed testing forms shall be kept on file for review by Public Works.

Any remodeling or new construction shall have prior approval of the local fire, building and health authorities. Any required plans and permits will be procured prior to the commencement of any changes to the facility.

The following areas of the facility shall be inspected and evaluated for functionality, wear, and rodent or pest infestation.

- Admissions
- Food services
- Inmate housing
- Laundry
- Loading dock/trash storage
- Water systems and plumbing
- Emergency generators
- Fire safety equipment

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- The entire physical structure of the facility, including, roof, walls, exterior doors, mechanical systems and lighting

803.5 PLUMBING - FLOOR DRAINS

Floor drains must be flushed and all traps must contain water to prevent the escape of sewer gas. Grids and grates must be present.

Water Supply

804.1 PURPOSE AND SCOPE

The Kings County Sheriff's Office recognizes the importance of providing the facility with safe, potable water. The purpose of this policy is to establish guidelines for testing the facility's water to ensure that the water is safe to consume.

804.2 POLICY

In compliance with standards set by law, this facility will ensure the continued supply of safe potable water for use by inmates, staff and visitors through rigorous annual testing of water supplies (42 USC § 300f et seq.).

804.3 PROCEDURE

The testing results, valid certificates of the sampling entity and the testing laboratory would be kept by City of Hanford.

In the event that water testing reveals any significant hazards to the inmates or staff at the facility, the Sheriff, Jail Commander and the Office health authority shall take immediate action to mitigate the problem.

804.4 EMERGENCY PLAN

The Jail Commander and the Office health authority shall develop a plan for the supply of potable water for drinking and cooking in the event that a man-made or natural disaster interrupts the regular water supply. The plan shall address methods for providing clean potable water for a minimum of three days, and should have contingency plans for emergencies lasting longer than three days. The plan should also include contingencies for the use of non-potable water to flush toilets and remove effluent from the facility.

Vermin and Pest Control

805.1 PURPOSE AND SCOPE

The purpose of this policy is to establish inspection, identification and eradication processes designed to keep vermin and pests controlled in accordance with the requirements established by all applicable laws, ordinances and regulations of the local public health entity.

805.2 POLICY

It is the policy of this office that vermin and pests be controlled within the facility (Title 15 CCR § 1280). The contracted medical provider, NaphCare, shall be responsible for developing and implementing a written plan, in cooperation with the responsible physician and the county health department, for the sanitation and control of vermin and pests. The plan shall include, but not be limited to, monthly inspections of the facility by a licensed pest control professional, and medical protocols for treating inmate clothing, personal effects and living areas, with specific guidelines for treating an infested inmate (Title 15 CCR § 1264).

805.3 PEST CONTROL SERVICES

The contracted medical provider, NaphCare, shall be responsible for procuring the services of a licensed pest control professional to perform inspections of the facility at least monthly and to treat areas as required to ensure that vermin and pests are controlled.

805.4 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted inmate who is vermin infested or whose property is vermin infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Inmates with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it.

Because the use of the treatment chemicals can cause allergic reactions and other negative effects, treatment should be done only when an infestation is identified and not as a matter of routine.

Clothing, bedding and other property that is suspected of being infested shall either be removed from the facility or cleaned and treated by the following methods, as appropriate (Title 15 CCR § 1264):

- Washing in water at 140 degrees for 20 minutes
- Tumbling in a clothes dryer at 140 degrees for 20 minute
- Treating with an insecticide specifically labeled for this purpose

Vermin and Pest Control

If the infested inmate's clothing and other belongings are properly bagged, labeled and immediately removed from the facility, no disinfecting is required.

Head lice and their eggs are generally found on the head hairs. There may be some uncertainty about the effectiveness of some available pediculicides to kill the eggs of head lice. Therefore, some products recommend a second treatment seven to 10 days after the first. During the interim, before the second application, eggs of head lice could hatch and there is a possibility that lice could be transmitted to others.

Pubic lice and their eggs are generally found on the hairs of the pubic area and adjacent hairy parts of the body, although they can occur on almost any hairy part of the body, including the hair under the arm and on the eyelashes. Pubic lice and their eggs are generally successfully treated by the available pediculicides. However, when the eyelashes are infested with pubic lice and their eggs, a physician should perform the treatment.

Successful treatment depends on careful inspection of the inmate and proper application of the appropriate product. The area used to delouse inmates needs to be separate from the rest of the facility. All of the surfaces in the treatment area must be sanitized. There must be a shower as part of the delousing area.

NaphCare Medical staff shall document the date of treatment, the area treated, the pest treated and the treatment used.

805.5 LABELING AND SECURE STORAGE OF COMPOUNDS

Containers of pest exterminating compounds shall be conspicuously labeled for identification of contents. The containers shall be securely stored separately from food and kitchenware, and shall not be accessible by inmates.

Inmate Safety

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a safety program to reduce inmate injuries by analyzing causes of injuries and identifying and implementing corrective measures.

806.2 POLICY

The Kings County Sheriff's Office will provide a safe environment for individuals confined at this facility, in accordance with all applicable laws, by establishing an effective safety program, investigating inmate injuries and taking corrective actions as necessary to reduce accidents and injury (15 CCR 1280).

The Sheriff shall appoint a staff member who will be responsible for the development, implementation and oversight of the safety program. This program will include, but not be limited to:

- A system to identify and evaluate hazards, including scheduled inspections to identify unsafe conditions.
- Analysis of inmate injury reports to identify causes and to recommend corrective actions.
- Establishment of methods and procedures to correct unsafe and/or unhealthful conditions and work practices in a timely manner.

806.3 INVESTIGATION OF REPORTED INMATE INJURY

Whenever there is a report of an injury to an inmate that is the result of accidental or intentional acts, other than an authorized use of force by custody staff, the Sheriff or the authorized designee will initiate an investigation to determine the cause of the injury and develop a plan of action whenever a deficiency is identified. Injuries resulting from use of force incidents will be investigated and reported in accordance with the Use of Force Policy.

806.4 INVESTIGATION REPORTS

The Shift Supervisor shall ensure that reports relating to an inmate's injury are completed and should include the following:

- Incident reports
- Investigative reports
- Health record entries
- Any other relevant documents

Inmate Safety

806.5 ANNUAL REVIEWS

The Sheriff or the authorized designee shall conduct an annual review of all injuries involving inmates for the purpose of identifying problem areas and documenting a plan of action to abate circumstances relating to inmate injuries.

The plan of action should include, but not be limited to:

- The area where the deficiencies have been identified.
- Strategies to abate the deficiency.
- Resources needed to correct a deficiency.
- The person or persons responsible for taking corrective action and the target completion date.

The Sheriff shall consult with the Office risk manager to coordinate corrective action or to seek managerial/administrative guidance for implementing corrective action.

Inmate Hygiene

807.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every inmate in the Kings County Sheriff's Office jail is maintained. The Kings County Sheriff's Office recognizes the importance of each inmate maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services and the issuance and exchange of clothing, bedding, linens, towels and other necessary personal hygiene items.

807.2 POLICY

It is the policy of the Kings County Sheriff's Office facility to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances and regulations (15 CCR 1069(b)(3)). Compliance with laws and regulations relating to good inmate hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all inmates, but for the safety of the correctional staff, volunteers, contractors and visitors.

807.3 STORAGE SPACE

There should be adequate and appropriate storage space for inmates' bedding, linen or clothing. The inventory of clothing, bedding, linen and towels should exceed the maximum inmate population so that a reserve is always available (15 CCR 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Jail Commander should be notified if additional storage space is needed.

807.3.1 BEDDING ISSUE

Upon entering a living area of the Kings County Sheriff's Office jail, every inmate who is expected to remain overnight shall be issued bedding and linens including, but not limited to (15 CCR 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.
- (b) One clean, firm, nontoxic fire-retardant mattress (16 CFR 1633.1 et seq.).
 - 1. Mattresses will be serviceable and enclosed in an easily cleanable, nonabsorbent material and conform to the size of the bunk. Mattresses will be cleaned and disinfected when an inmate is released or upon reissue.
 - 2. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses and any other legal standards at the time of purchase (15 CCR 1272).
- (c) Two sheets or one sheet and a clean mattress cover.

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- (d) One clean washcloth and one bath towel

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR 1271). The Shift Supervisor shall review the daily activity log at least once per shift.

The Jail Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

807.3.2 CLOTHING ISSUE

An inmate admitted to the facility shall be issued a set of facility clothing. The clothing shall be appropriate to the climate, reasonably fitted, durable, easily laundered and repaired. Issued clothing shall include, but is not limited to, the following (15 CCR 1260):

- Clean socks
- Suitable outer and undergarments
- Footwear

An inmate who is issued a change of clothing upon admission to the facility may have his/her personal clothing returned after laundering, at the discretion of the Jail Commander.

Clothing shall be exchanged twice each week, at a minimum (15 CCR 1262). All exchanges shall be documented on the daily activity log. The Shift Supervisor or unit supervisor shall review the daily activity log at least once per shift.

Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An inmate's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each inmate assigned to a special work area, such as food services, medical, farm, sanitation, mechanical and other specified work, shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, which shall be exchanged as frequently as the work assignment requires (15 CCR 1261).

The Jail Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

The Jail Commander or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each inmate shall have neat and clean clothing appropriate to the season.

An inmate's excess personal clothing shall be mailed, picked up by or transported to a designated family member or stored in containers designed for such purpose. All inmate personal property

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shall be properly identified, inventoried and secured. Inmates shall sign and receive a copy of the inventory record.

807.4 LAUNDRY SERVICES

Laundry services shall be managed so that daily clothing, linen and bedding needs are met.

807.4.1 CLOTHING, BEDDING OR LINEN CONTAMINATED WITH INFECTIOUS BODILY FLUIDS

Clothing, bedding and linen that are soiled with potentially infectious bodily fluids, such as blood, urine, vomit or feces shall be placed in a water soluble bag and then washed. The contaminated clothing will be washed with soap and hot water separate from any other non-contaminated clothing.

807.5 INMATE ACCOUNTABILITY

To ensure inmate accountability, inmates are required to exchange item for item when clean clothing, bedding and linen exchange occurs.

Prior to being placed in a housing unit, inmates shall be provided with an inmate handbook listing this requirement.

807.6 PERSONAL HYGIENE OF INMATES

Personal hygiene items, hair care services and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among inmates in compliance with the requirements established by state laws as part of a healthy living environment.

Each inmate held more than 24 hours, who is unable to supply him/herself with the following personal care items because of either indigency or the absence of an inmate canteen, shall be issued the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shaving equipment, upon request
- Toilet paper
- Materials as appropriate to the special hygiene needs of women. Sanitary napkins, panty liners and tampons will be provided to female inmates free of charge as requested.

The Jail Commander or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's sex. Additional hygiene items shall be provided to inmates upon request, as needed.

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Inmates shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the California Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Jail Commander or the authorized designee may suspend this requirement for any inmate who is considered a danger to him/herself or others.

807.6.1 SANITATION

The Kings County Sheriff's Office jail shall maintain sanitary conditions in accordance with the requirements established by all applicable laws, ordinances and regulations, and the local health authority. Sanitation in barbering operations is of the highest concern because of the possible transfer of diseases by direct contact with towels, combs, scissors, clippers and other items that are commonly used for hair care. Equipment shall be disinfected after each use by a method approved by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR § 979 and 16 CCR § 970 (15 CCR § 1267(c)).

807.6.2 HAIR CARE SPACE

Due to sanitation concerns, the hair care services should be located in a room that is used only for that purpose. The floors, walls, cabinets, countertops and ceilings should be smooth, non-absorbent and easily cleanable. The room must be supplied with a hand-washing sink with hot and cold water under pressure. The minimum hot water temperature must comply with local building and health department standards.

Each barbering room should have all the equipment necessary for maintaining sanitary procedures for hair care, including approved, covered metal containers for waste, disinfectants, laundered towels and a means of separating sanitized equipment from soiled equipment.

After each haircut, all tools that came into contact with the inmate shall be thoroughly cleaned and sanitized according to established guidelines and regulations.

Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all hair care personnel and inmates. Single-use items, such as cotton pads and neck strips, shall be properly disposed of immediately after a single use.

Barbers or beauticians shall not provide hair care service to any inmate when the skin of the face, neck or scalp is inflamed, or when there is scaling, pus or other evidence of skin eruptions, unless it is performed in accordance with the specific written authorization of the Responsible Physician. Any person infested with head lice shall not be given hair care service until cleared by the medical staff.

The Training Sergeant shall ensure that all barbers and beauticians are properly trained to ensure they comply with the requirements of this policy.

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The hair care services area shall be maintained and kept clean according to the requirements of the state or local board of barbering and cosmetology and the health department standards.

807.6.3 SCHEDULE FOR HAIR CARE PROCEDURE

Inmates shall have the ability to receive hair care services once per month. Records of hair care service shall be documented in the housing log book.

Prior to being placed in a housing unit, inmates will be given an inmate handbook, which details how to request hair care services.

807.7 AVAILABILITY OF PLUMBING FIXTURES

Inmates confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing units is:

- One sink/washbasin for every 10 inmates (24 CCR 1231.3.2(2)).
- One toilet to every 10 inmates (urinals may be substituted for up to one-third of the toilets in facilities for male inmates) (24 CCR 1231.3.1).

807.8 INMATE SHOWERS

Inmates will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible (15 CCR 1266). There should be one shower for every 20 inmates unless federal, state or local building or health codes differ. Showering facilities for inmates housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of inmates and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

Inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite sex shall announce their presence when entering an inmate housing unit (28 CFR 115.15).

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

807.9 DELOUSING MATERIALS

Delousing materials and procedures shall be approved through consultation with the Responsible Physician or qualified health care professionals.

Chapter 9 - Food Services

Food Services

900.1 PURPOSE AND SCOPE

The Office recognizes the importance of providing nutritious food and services to inmates to promote good health, to reduce tension in the jail and ultimately support the safety and security of the jail. This policy provides guidelines on the preparation of food services items and dietary considerations for inmates housed in the facility.

900.2 POLICY

It is the policy of this office that food services shall provide inmates with a nutritionally balanced diet in accordance with federal, state and local laws, and with regulations for daily nutritional requirements (15 CCR 1241 et seq.).

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in Health and Safety Code § 113700 et seq. (15 CCR 1245(a)).

900.3 FOOD SERVICES MANAGER

The food services manager shall be responsible for oversight of the day-to-day management and operation of the food services area, including:

- Developing, implementing and managing a budget for food services.
- Ensuring sufficient staff is assigned and scheduled to efficiently and safely carry out all functions of food services operations.
- Establishing, developing and coordinating appropriate training for staff and inmate workers.
- Developing a menu plan that meets all nutrition and portion requirements and can be produced within the available budget.
- Other duties and activities as determined by the Jail Commander.

900.4 MENU PLANNING

All menus shall be planned, dated and available for review at least one month in advance of their use (15 CCR 1242). Records of menus and of foods purchased shall be kept on file for one month. Menus shall provide a variety of foods and should consider food flavor, texture, temperature, appearance and palatability. Menus shall be approved by a registered dietitian or nutritionist before being served to ensure the recommended dietary allowance for basic nutrition meets the needs of the appropriate age group.

Any changes to the meal schedule, menu or practices should be carefully evaluated by the food services manager in consultation with the Jail Commander, dietician, medical staff and other

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professionals, and shall be recorded. All substitutions will be of equal or better nutritional value. If any meal served varies from the planned menu, the change shall be noted in writing on the menu and/or production sheet.

Menus as planned, including changes, shall be evaluated by a registered dietitian at least annually (15 CCR 1242). Facility menus shall be evaluated at least quarterly by the food services supervisory staff to ensure adherence to established daily servings.

Copies of menus, foods purchased, annual reviews and quarterly evaluations should be maintained by the food services manager in accordance with established records retention schedules.

900.4.1 FREQUENCY OF MEAL SERVICE

Meals shall be served three times in a 24-hour period with at least one being a hot meal unless otherwise required by state law or regulations. Any deviation from this requirement shall be subject to the review and approval of a registered dietitian to ensure that inmates receive meals that meet nutritional guidelines.

Approved snacks should be served to inmates if more than 14 hours pass between meals. Approved snacks should also be served between meals to inmates on medical diets as prescribed by the responsible physician or registered dietitian.

900.5 FOOD SAFETY

Temperatures in all food storage areas should be checked and recorded at the beginning of each shift, but shall be checked and recorded at least once daily. Holding temperatures for cold and hot foods shall be checked and recorded every two hours. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time.

All reach-in or walk-in refrigerators and cold storage must maintain food temperature below 41 degrees. All freezers, other than during the defrosting cycle, must maintain a temperature of 0 degrees or lower.

One sample for each meal served shall be dated and maintained under refrigeration for testing in the event of a food-borne illness outbreak. Sample meals shall be discarded at the end of three days if no food-borne illness is reported.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected (15 CCR 1245(a)).

900.6 THERAPEUTIC DIETS

The food services manager shall be responsible for ensuring that all inmates who have been prescribed therapeutic diets by qualified health care professionals are provided with compliant meals. A therapeutic diet manual, which includes samples of medical diets, shall be maintained in the health services and food services areas for reference and information.

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More complete information may be found in the Prescribed Therapeutic Diets Policy.

Women who are known to be pregnant or lactating shall be provided a balanced, nutritious diet approved by a physician (15 CCR 1248).

900.7 RELIGIOUS DIETS

The Food Services Manager, to the extent reasonably practicable, will provide special diets for inmates in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA).

When religious diets are provided, they shall conform to the nutritional and caloric requirements for non-religious diets (15 CCR 1241).

900.8 FOOD SERVICES REQUIREMENTS

All reasonable efforts shall be made to protect inmates from food-borne illness. Food services staff shall adhere to sanitation and food storage practices and there shall be proper medical screening and clearance of all food handlers in accordance with the Food Services Workers' Health, Safety and Supervision Policy (15 CCR 1230).

Food production and services will be under staff supervision. Food production, storage and food handling practices will follow the appropriate federal, state or local sanitation laws (15 CCR 1246).

900.9 MEAL SERVICE PROCEDURE

Inmate meals that are served in a dining room or day room should be provided in space that allows groups of inmates to dine together, with a minimum of 15 square feet of space per inmate. A dining area shall not contain toilets or showers in the same room without appropriate visual barriers.

Meals are served at least three times per day. At least one meal must include hot food. Inmates must be provided a minimum of 15 minutes dining time for each meal. There must be no more than 14 hours between the evening meal and breakfast. If more than 14 hours pass between meals, supplemental food will be provided.

Inmates who miss, or may miss, a regularly scheduled meal must be provided with a beverage and a sandwich or substitute meal. Supplemental food must be served to inmates on medical diets in less than the 14-hour period if prescribed by the responsible physician. Inmates on medical or therapeutic meals who miss their regularly scheduled meal will be provided with their prescribed meal (Title 15 CCR § 1240).

As the meal time approaches, facility staff should direct the inmates to get dressed and be ready for meals. Inmates should be assembled and a head count taken to verify that all inmates in the housing location are present. Staff should be alert to signs of injury or indications of altercations, and should investigate any such signs accordingly. Staff should remain alert to the potential for altercation during inmate movement and meals.

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Staff should direct an orderly filing of inmates to the dining room or seating in the day room. Staff should identify inmates who have prescribed therapeutic or authorized religious diets so those inmates receive their meals accordingly.

It shall be the responsibility of the deputies to maintain order and enforce rules prohibiting excessive noise during meal time.

900.10 EMERGENCY MEAL SERVICE PLAN

The food services manager shall establish and maintain an emergency meal service plan for the facility (15 CCR 1243(k)).

Such a plan should ensure that there is at least a seven-day supply of food maintained in storage for inmates. In the event of an emergency that precludes the preparation of at least one hot meal per day, the Jail Commander may declare an "Emergency Suspension of Standards" pursuant to 15 CCR 1012 for the period of time the emergency exists.

During an emergency suspension, the food services manager shall assign a registered dietician to ensure that minimum nutritional and caloric requirements are met (15 CCR 1242). The Jail Commander shall notify the Board of State and Community Corrections (BSCC) in writing in the event the suspension lasts longer than three days. The emergency suspension of food service standards shall not continue more than 15 days without the approval of the chairperson of the BSCC (15 CCR 1012).

In the event that the inmate food supply drops below that which is needed to provide meals for two days, the Jail Commander or the authorized designee shall purchase food from wholesale or retail outlets to maintain at least a four-day supply during the emergency.

Depending on the severity and length of the emergency, the Sheriff should consider requesting assistance from allied agencies through mutual aid or the National Guard.

Food Services Training

901.1 PURPOSE AND SCOPE

The purpose of this policy is to reduce the risk of potential injury to staff, contractors and inmate workers in the food services areas by developing and implementing a comprehensive training program in the use of equipment and safety procedures.

901.2 POLICY

The Kings County Sheriff's Office ensures a safe and sanitary environment is maintained for the storage and preparation of meals through the appropriate training of food services staff and inmate workers (15 CCR 1230; 15 CCR 1243(g); 15 CCR 1245(a)).

901.3 TRAINING

The food services manager, under the direction of the Jail Commander, is responsible for ensuring that a training curriculum is developed and implemented in the use of equipment and safety procedures for all food services personnel, including staff, contractors and inmate workers.

The training shall include, at minimum:

- (a) Work safety practices and use of safety equipment.
- (b) Sanitation in the facility's food services areas.
- (c) Reducing risks associated with operating machinery.
- (d) Proper use of chemicals in food services areas.
- (e) Employing safe practices.
- (f) Facility emergency procedures.

A statement describing the duties and proper time schedule should be developed for each job function in the facility's kitchen and food services operation. The food services manager, at the direction of the Jail Commander, shall establish an employee/kitchen worker training course, and all staff or inmate workers shall be trained on how to assemble, operate, clean and sanitize kitchen equipment.

Information about the operation, cleaning and care of equipment, including manufacturer's literature, that is suitable for use as reference material shall be kept in the food services operation area. The reference material should be used in developing training on the use of the equipment and the maintenance and cleaning procedures.

Safety and sanitation shall be the primary consideration in equipment purchase and replacement. Placement and installation of equipment must be carefully planned to facilitate cleaning, sanitizing, service and repairs. The equipment must also meet any applicable government codes.

Dietary Guidelines

902.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the nutritional needs of the inmates are met and that overall health is promoted through the use of balanced nutritious diets.

902.2 POLICY

It is the policy of this office that diets provided by this facility will meet or exceed the guidelines established in the current publications of the Dietary Reference Intakes (DRI) of the Food and Nutrition Board, Institute of Medicine of the National Academies, the California Food Guide (CFG) and the U.S. Department of Agriculture's Dietary Guidelines for Americans (DGA).

902.3 REVIEW OF DIETARY ALLOWANCES

The food services manager is responsible for developing the facility's menus and shall ensure that all menus served by food services comply with the nutritional and caloric requirements found in the 2011 DRI, 2008 CFG, and the 2015-2020 DGA guidelines (15 CCR 1241). Any deviation from these guidelines shall be reviewed by the Sheriff and/or the Jail Commander and the Responsible Physician.

The food services manager or the authorized designee shall ensure that the facility's menus and dietary allowances are evaluated annually by a registered dietitian, and that any changes meet the DRI, CFG, and DGA guidelines. A registered dietitian must approve menus before they are used (15 CCR 1242).

Menus should be evaluated at least quarterly by the food services manager or the authorized designee.

902.4 MENU CYCLE PLANNING

The food services manager or the authorized designee should plan the menus one month in advance of their use.

Any changes to the menu must be recorded and kept until the next annual inspection (15 CCR 1242). Any menu substitutions must use better or similar items.

Menus should include the following minimum food group allowances per day (15 CCR 1241 et seq.):

- (a) Dairy Group: Three servings of pasteurized fat-free or low-fat milk fortified with Vitamins A and D or food providing at least 250 mg. of calcium and equivalent to 8 ounces of fluid milk. One serving can be from a fortified food containing at least 250 mg. of calcium. Juveniles 15-17 years of age or women who are known to be pregnant or lactating should receive four servings of milk or milk products.
- (b) Vegetable-Fruit Group: Five servings of fruits and vegetables. At least one daily serving, or seven servings per week, shall be from each of the following three categories:

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1. One serving of a fresh fruit or vegetable
 2. One serving of a Vitamin A source, fruit or vegetable, containing at least 200 micrograms retinol equivalents or more
 3. One serving of a Vitamin C source containing at least 30 mg. or more
- (c) Grain Group: A minimum of six servings of grains, three of which must be made with whole grains.
- (d) Protein Group: Three servings of lean meat, fish, eggs, cooked dry beans, peas, lentils, nuts, peanut butter, or textured vegetable protein, equivalent to 14 grams or more of protein. The daily requirements shall be equal to three servings for a total of 42 grams per day or 294 per week. In addition, a fourth serving from the legumes category shall be served three days a week.
- (e) A daily or weekly average of the food group's requirement is acceptable.
- (f) Saturated dietary fat should not exceed 10 percent of the total calories on a weekly basis. Fat shall be added only in minimum amounts necessary to make the diet palatable. Facility diets shall consider the recommendations and intentions of the 2015-2020 DGA of reducing overall sugar and sodium levels.

Additional servings of dairy, vegetable-fruit, and grain groups must be provided in amounts to meet caloric requirements when the minimum servings outlined in the requirements above are not sufficient to meet the caloric requirements of an inmate.

Food Services Worker's Health, Safety and Supervision

903.1 PURPOSE AND SCOPE

The purpose of this policy is to establish basic personal health, hygiene, sanitation and safety requirements to be followed by all food services workers and to ensure the proper supervision of food services staff and inmate workers.

903.2 POLICY

The Kings County Sheriff's Office will ensure that meals are nutritionally balanced, safe and prepared and served in accordance with applicable health and safety laws. All inmate food services workers will be properly supervised by custody staff to ensure safety and security at all times (15 CCR 1243(h)).

903.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The food services manager is responsible for developing and implementing procedures to ensure that all meals are prepared, delivered and served only under direct supervision by staff.

Work assignments shall be developed to ensure that sufficient food services staff is available to supervise inmate food services workers. The food services manager should coordinate with the corrections supervisor to ensure that sufficient correctional staff is available to supervise inmate meal service.

The food preparation area must remain clean and sanitary at all times. The food services manager or the authorized designee shall post daily, weekly and monthly cleaning schedules for the equipment and food preparation area.

903.4 MEDICAL SCREENING

The food services manager shall work cooperatively with the Responsible Physician to develop procedures to minimize the potential for spreading contagious disease and food-borne illness. In an effort to prevent the spread of illness, the following shall be strictly observed (15 CCR 1230):

- (a) All food services workers shall have a pre-employment/pre-assignment medical examination, in accordance with local requirements, to ensure freedom from diarrhea, skin infections and other illnesses transmissible by food or utensils.
- (b) Periodic reexaminations of food services workers shall be given to ensure freedom from any disease transmissible by food or utensils.
- (c) Food services workers shall have education and ongoing monitoring in accordance with the standards set forth in the applicable government health and safety codes.

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- (d) A supervisor shall inspect and monitor all persons working in any food services area on a daily basis for health and cleanliness, and shall remove anyone exhibiting any signs of food-transmissible disease from any food services area.
- (e) Any person working in any food services area who is diagnosed by a qualified health care professional with a contagious illness should be excluded from the food services areas until medically cleared to return to work.
- (f) All food handlers shall wash their hands when reporting for duty and after using toilet facilities. Aprons shall be removed and secured in a clean storage area before entering the toilet facility.
- (g) Food services workers shall wear disposable plastic gloves and a protective hair covering, such as a hat or hairnet, when handling or serving food. Gloves shall be changed after each task is completed.
- (h) Any outside vendor must submit evidence of compliance with state and local regulations regarding food safety practices.
- (i) Smoking at any time is prohibited in any food services area.
- (j) Documentation of compliance with all of the above and with any other risk-minimizing efforts implemented to reduce food transmissible disease shall be maintained in accordance with established records retention schedules.
- (k) All food services workers shall report to a supervisor any information about their health and activities in accordance with health and safety codes as they relate to diseases that are transmittable through food, (e.g., open sores, runny nose, sore throat, cough, vomiting, diarrhea, fever, recent exposure to contagious diseases such as Hepatitis A or tuberculosis).

Any food services worker is prohibited from handling food or working in any food services area if he/she reports symptoms such as vomiting, diarrhea, jaundice, sore throat with fever or has a lesion containing pus, such as a boil or infected wound that is open or draining. Food service workers shall only return to work in food service areas when cleared by a qualified health care professional.

903.5 TRAINING REQUIREMENTS FOR FOOD SERVICES WORKERS

The food services manager is responsible for developing and implementing a training program for inmate food services that includes food safety, proper food-handling techniques and personal hygiene. Each inmate food services worker shall satisfactorily complete the initial training prior to being assigned to prepare, deliver or serve food. Food services workers should receive periodic supplemental training as determined by the food services manager (15 CCR 1243(g)).

The training curriculum for inmate food services workers should include, at minimum, the following topics:

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- Proper hand-washing techniques and personal hygiene as it applies to food services work
- Proper application and rotation of gloves when handling food
- Proper use of protective hair coverings, such as hats or hairnets
- Wearing clean aprons and removing aprons prior to entering toilet facilities
- Maintaining proper cooking and holding temperatures for food
- Proper portioning and serving of food
- Covering coughs and sneezes to reduce the risk of food-borne illness transmission
- Reporting illness, cuts or sores to the custody staff in charge

903.6 SUPERVISION OF INMATE WORKERS

Only personnel authorized to work in the food preparation area will be allowed inside. Inmate food handlers working in the kitchen must be under the supervision of a staff member (15 CCR 1243(h)). The Jail Commander will appoint at least one qualified staff member, who will be responsible for the oversight of daily activities and ensuring food safety. The appointed staff member must be certified by passing the American National Standards Institute food safety manager certification examination.

Sufficient custody staff shall be assigned to supervise and closely monitor inmate food services workers. Staff shall ensure that inmate food services workers do not misuse or misappropriate tools or utensils, and that all workers adhere to the following:

- Correct ingredients are used in the proper proportions.
- Food is maintained at proper temperatures.
- Food is washed and handled properly.
- Food is served using the right utensils and in the proper portion sizes.
- Utensils such as knives, cutting boards, pots, pans, trays and food carts used in the preparation, serving or consumption of food are properly washed and sanitized after use. Disposable utensils and dishes will not be reused.
- All utensils are securely stored under sanitary conditions when finished.

903.7 SUPERVISION OF THE FOOD SUPPLY

The risk of conflict and protest is reduced when the inmate population has confidence in the safety and quality of their food. Custody staff should supervise the transport and delivery of food to the respective serving areas. Custody staff should ensure the food is protected during transportation, delivered to the right location efficiently and under the right temperatures.

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Food services staff should report any suspected breach in the safety or security of the food supply. Staff should be alert to inmate behavior when serving food, and cognizant of any comments concerning perceived contamination or portioning issues. Staff should report any suspicion of inmate unrest to a supervisor.

Any change to the published menu or the standard portioning should be documented and reported to the food services manager as soon as practicable.

Food Preparation Areas

904.1 PURPOSE AND SCOPE

This policy is intended to ensure the proper design and maintenance of the food preparation area.

904.2 POLICY

It is the policy of this office to comply with all federal, state and local laws and regulations concerning the institutional preparation of food.

904.3 COMPLIANCE WITH CODES

The Jail Commander is responsible for ensuring that food preparation and service areas are in compliance with all applicable laws and regulations and that food preparation areas are sanitary, well lit, ventilated and have adequate temperature-controlled storage for food supplies (15 CCR 1245(a)).

Any physical changes in the food preparation area, such as changing equipment or making major menu changes (from cold production to hot food), must be approved by the local public health entity to ensure adequate food protection.

Living or sleeping quarters are prohibited in the food preparation and food services areas (Health and Safety Code § 114286).

The food preparation area must avoid cross contamination and remain free from vermin infestation (Health and Safety Code § 114259).

904.4 CONSTRUCTION REQUIREMENTS

All remodeling and new construction of food preparation areas shall comply with federal, state and local building codes, comply with food and agricultural laws and standards and include any required approvals from any local regulatory authority (Health and Safety Code § 113700 et seq.).

The food preparation area shall be sized to include space and equipment for adequate food preparation for the facility's population size, type of food preparation and methods of meal services.

Floors, floor coverings, walls, wall coverings and ceilings should be designed, constructed and installed so they are smooth, non-absorbent and attached so that they are easily cleanable (Health and Safety Code § 114268; Health and Safety Code § 114271).

Except in the area used only for dry storage, porous concrete blocks or bricks used for interior walls shall be finished and sealed for a smooth, non-absorbent, easily cleanable surface.

Food storage areas shall be appropriately clean, sized, typed and temperature-controlled for the food being stored (Health and Safety Code § 114047).

Lighting throughout the kitchen and storage areas shall be sufficient for staff and inmates to perform necessary tasks (Health and Safety Code § 114252).

Food Preparation Areas

Mechanical ventilation of sufficient capacity to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes shall be provided if necessary (Health and Safety Code § 114149(a)).

All equipment used in the food preparation area shall be commercial grade and certified by the American National Standards Institute or approved by a registered environmental health professional/sanitarian (Health and Safety Code § 114130).

Dishwashing machines will operate in accordance with the manufacturer recommendations and hot water temperatures will comply with federal, state and local health requirements (Health and Safety Code § 114101).

Equipment must be smooth, easy to clean, and easy to disassemble for frequent cleaning. Equipment should be corrosion resistant and free of pits, crevices or sharp corners.

Dry food storage must have sufficient space to store a minimum of 15 days of supplies and be stored in compliance with the provisions of Health and Safety Code § 114047.

904.5 TOILETS AND WASHBASINS

Adequate toilet and washbasin facilities shall be located in the vicinity of the food preparation area for convenient sanitation and proper hygiene. Toilet facilities shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning and maintenance.

Signs shall be conspicuously posted throughout the food preparation area and in each restroom informing all food services staff and inmate workers to wash their hands after using the restroom. Signs shall be printed in English and in other languages as may be dictated by the demographic of the inmate population.

To reduce the potential for contaminants being brought into the food preparation area, toilet facilities in the vicinity of the food preparation area should be limited to use by the food services staff and inmate workers only. Anyone working in the food services area must store their aprons in a designated clean area before entering the toilet facilities.

The food services manager shall be responsible for procedures to ensure:

- (a) All fixtures in the toilet facilities are clean and in good operating condition.
- (b) A supply of toilet tissue is maintained at each toilet at all times. Toilet facilities used by women shall have at least one covered waste receptacle.
- (c) The hand-washing station located adjacent to the toilet facility has warm water available and is kept clean and in good operating condition. Single-dispensing soap and a method for drying hands shall be provided at all times (Health and Safety Code § 113953.3).

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If the toilet facility is outside of the kitchen area, food services workers must wash their hands after using the toilet facility and again upon returning to the kitchen area before preparing or serving food.

Food Budgeting and Accounting

905.1 PURPOSE AND SCOPE

The purpose of this policy is to establish processes that will enable the facility's food services to operate within its allocated budget, and for the development of specifications for purchasing food, equipment and supplies for the delivery of food services.

905.2 POLICY

The Kings County Sheriff's Office food services facilities shall serve nutritious meals in an efficient and cost-effective manner in accordance with applicable laws and standards (15 CCR 1243(i)).

905.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The food services manager is responsible for establishing a per meal, per inmate budget for food, equipment and supplies that are needed for the effective operation of the facility food services. This includes monitoring purchases according to the budgeted weekly and monthly spending plans.

The volume for purchasing should be based upon the food services needs and storage availability. The food services manager is responsible for establishing and maintaining detailed records and proper accounting procedures, and should be prepared to justify all expenditures and establish future budget requirements.

905.4 PROCEDURE

The food services manager is responsible for ensuring that food services are delivered in an efficient and cost-effective manner by employing the following procedures, including, but not limited to:

- (a) Developing an annual budget that is realistically calculated according to previous spending data and available revenue, and lists all anticipated costs for the food services operation for the coming year.
- (b) Establishing a per meal, per inmate cost using an inventory of existing supplies and planned purchases, minus the anticipated ending inventory (15 CCR 1243(i)).
- (c) Ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the date and time of service and the number of:
 1. Meals prepared and served for each meal period.
 2. Meals served per location.
 3. Prescribed therapeutic diet meals served.
 4. Authorized religious diet meals served.
 5. Authorized disciplinary isolation diet meals served.

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- (d) Ensuring that food is purchased from an approved wholesale/institutional vendor to ensure food safety.
- (e) Bulk-purchasing nonperishable items to maximize the budget dollars (15 CCR 1243(b)).
- (f) Continuous monitoring and improvement to minimize poor food management and/or accounting, including, but not limited to:
 - 1. Following planned menus.
 - 2. Inspection of food deliveries to ensure the right quantity is delivered and the condition of the food is acceptable.
 - 3. Purchasing food that is in season.
 - 4. Purchasing the grade of product best suited to the recipe.
 - 5. Following standard recipes.
 - 6. Producing and portioning only what is needed.
 - 7. Minimizing food production waste and establishing appropriate food storage and rotation practices, including proper refrigeration.
 - 8. When reasonably practicable, responding to the inmate's food preferences.
 - 9. Establishing minimum staffing requirements based on the layout and security requirements of the facility.
 - 10. Budgeting adequately for equipment repair and replacement, factoring in any labor cost savings, the need for heavy-duty equipment with corrections packages for safety, and inmate abuse.
- (g) Establishing purchasing specifications, which are statements of minimum quality standards and other factors, such as quantity and packaging. A basic specification should contain (15 CCR 1243(b)):
 - 1. The common name of the product.
 - 2. The amount to be purchased.
 - 3. The trade, federal or other grade or brand required.
 - 4. The container size and either an exact, or a range of the number of pieces in a shipping container.
 - 5. The unit on which prices are to be quoted (e.g., 6/#10 cans, 10/gallons).
- (h) Establishing accounting procedures for financial statements and inventory control.
- (i) Maintaining records of invoices, purchase orders, meal count sheets, food production records, therapeutic and religious diet records, inventory of food, supplies and

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equipment for the required period of time, as mandated by the governing body of the facility.

905.5 MONTHLY REPORTING

The food services manager is responsible for ensuring that accurate meal record data is collected and maintained. Meal records should include, but not be limited to, the number of (Title 15 CCR § 1243(j)):

- (a) Meals prepared and served for each meal period.
- (b) Meals served per location.
- (c) Prescribed therapeutic diet meals served.
- (d) Authorized religious diet meals served.
- (e) Authorized disciplinary diet meals served.

A monthly report summarizing all data shall be retained in accordance with office retention schedules.

All meal records shall be retained in accordance with office retention schedules and state statutory regulations.

Inspection of Food Products

906.1 PURPOSE AND SCOPE

The purpose of this policy is to establish methods by which the Food and Drug Administration (FDA) and/or the United States Department of Agriculture (USDA) inspections and/or approvals are conducted on any food products grown or produced within the jail system.

906.2 POLICY

The Kings County Sheriff's Office will ensure the safety and quality of all food products grown or produced at this facility through routine inspections and approvals, as required by law.

906.2.1 FOOD INSPECTION PROCEDURES

The food services manager is responsible for developing procedures for ensuring that all food used in the food services operation has been inspected and/or approved to standards established by statute, and that the delivery of all foodstuffs to the jail kitchens and to the inmates occurs promptly to reduce the risk of any food-borne illness or contamination.

The food services manager shall establish inspection procedures in accordance with established standards and statutes. Such procedures shall include, but are not limited to:

- (a) The FDA or USDA inspection and/or approval of all food products grown or produced by this facility prior to distribution.
- (b) A system of periodic audits and inspections of the facility and of all raw material suppliers, either by custody staff or by a third-party vendor.
- (c) A system of thorough documentation of all inspection and approval processes, training activities, raw material handling procedures, activities, cleaning and sanitation activities, cleanliness testing, correction efforts, record-keeping practices and the proper use of sign-off logs shall be developed and implemented.
- (d) Processes of evaluating the effectiveness of training, and validating cleanliness through testing (e.g., swabs, bioluminescence and visual, taste and odor evaluations), shall be created and implemented. Records of all such activities shall be documented.
- (e) Documentation of any recommendations for continuous quality improvement and their implementation, with the intent of eliminating deficiencies. Documentation should include a post-deployment verification of the correction.
- (f) The food services manager is responsible for ensuring adherence to the following practices, including, but not limited to:
 - 1. The scope of food products being grown or processed internally is well-defined.
 - 2. All critical processes are validated to ensure consistency and compliance with specifications.

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3. Any changes to the process are evaluated for effectiveness.
4. There are clearly, written instructions and procedures for the staff and inmates to follow.
5. The staff and inmates are trained to perform all established tasks and document all necessary procedures.
6. Physical barriers for separating raw and cooked food-processing areas are established and maintained.
7. The traffic flow of workers is designed to minimize the risk of any cross-contamination.
8. All drains are used and cleaned properly, within industry standards.
9. Proper equipment and/or tools are provided and designated for specific use.
10. All persons working in the food services areas are wearing proper clothing and protective devices at all times.
11. All persons working in the food services areas wash their hands properly and frequently.
12. Only authorized personnel are allowed in the food processing areas.
13. Only potable water is used for growing or washing produce.
14. The distribution of all prepared food is done in a manner that reduces the risk of food-borne illness or contamination.

Food Services Facilities Inspection

907.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for inspecting food services areas and facilities to ensure a safe and sanitary environment for staff and inmates.

907.2 POLICY

It is the policy of the Kings County Sheriff's Office that the food services area be maintained in a safe, sanitary condition by conducting regularly scheduled inspections, both by facility staff and by an outside independent inspection authority as may be required by law (15 CCR 1245(a)).

907.3 CLEANING AND INSPECTIONS BY STAFF

The food services manager shall ensure the food preparation areas and all equipment in the food services area are inspected weekly. Water temperature of all fixtures, including washing equipment, shall be checked and recorded weekly to ensure compliance with the required temperature range. Deficiencies noted by inspections shall be promptly addressed.

A cleaning schedule for each food services shall be developed and posted for easy reference by staff, and shall include areas such as floors, walls, windows and vent hoods. Equipment, such as chairs, tables, fryers and ovens, should be grouped by frequency of cleaning as follows:

- After each use
- Each shift
- Daily
- Weekly
- Monthly
- Semi-annually
- Annually

The food services manager is responsible for establishing and maintaining a record-keeping system to document the periodic testing of sanitary conditions and safety measures, in accordance with established records retention schedules.

907.3.1 SAFETY INSPECTION CHECKLIST

The following items should be part of the weekly inspection:

- Lighting is adequate and functioning properly.
- Ample working space is available.
- Equipment is securely anchored.
- There are suitable storage facilities, minimizing the risk of falling objects.

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- Floors are clean, dry, even and uncluttered.
- Machines have proper enclosures and guards.
- A clear fire safety passageway is established and maintained.
- Fire extinguishers and sprinkler systems are available, not expired and are tested regularly.
- The food preparation area has good ventilation.
- Furniture and fixtures are free from sharp corners, exposed metal and splintered wood.
- All electrical equipment is in compliance with codes and regulations.
- All workers wear safe clothing, hair coverings, gloves and protective devices while working.
- All workers are in good health, with no symptoms of illness or injury that would pose a risk to food safety.
- All ranges, ovens and hot holding equipment are clean and in good operating condition.
- Mixers and attachments are clean and in good operating condition.
- Dishwashing machines are clean and in good operating condition, and proper chemicals are in use.
- Water temperatures for hand sinks, ware washing sinks and dishwashing machines meet minimum acceptable temperatures.
- All hand-washing stations have free access, soap, hot and cold running water under pressure and a method to dry hands.
- Toilet facilities are in good repair and have a sufficient supply of toilet paper.
- All temperature charts and testing documents are current, accurate and periodically reviewed and verified by the food services manager.
- Only authorized personnel are allowed in the kitchen area.
- Foods are labeled and stored properly using the first-in first-out system.
- The refrigerators and freezers are in good operating condition and maintain proper temperature.
- There is no evidence of cross-connection or cross-contamination of the potable water system.

907.4 CONTRACTING FOR INSPECTION

The food services manager is responsible for ensuring that the food services operation works in accordance with all state and local laws and regulations.

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The Jail Commander shall ensure that the Kings County Environmental Health Department will conduct an annual inspection of the food services facilities and equipment, to ensure that established state and local health and safety codes have been met.

Documentation of the inspections, findings, deficiencies, recommended corrective actions and verification that the corrective standards were implemented will be maintained by the facility in accordance with established records retention schedules.

The inspection should include, but is not limited to, the following components:

- (a) The inspector should conduct a pre-inspection briefing with the Jail Commander and other appropriate personnel, including the food services manager, to identify the applicable government health and safety codes and the areas to be inspected. The inspector should provide the necessary equipment to conduct the inspection.
- (b) The inspector should audit the policies and procedures of the food services operation.
- (c) During the course of the inspection, the inspector should study and report on whether the following meet acceptable standards:
 - 1. Walls, ceilings and floors are in good condition, smooth and easily cleanable.
 - 2. The kitchen layout is properly designed to avoid cross-contamination.
 - 3. The kitchen is properly lighted and ventilated.
 - 4. The temperature controlled storage areas are in good operating condition and proper temperatures are being maintained.
 - 5. Dry foods are properly stored off the floor, away from the walls and ceilings.
 - 6. There is no sign of vermin infestation.
 - 7. All equipment is in good and sanitary condition and is certified by one of the American National Standards Institute certification agencies e.g., Underwriters Laboratories, or Extract, Transform and Load, and the National Science Foundation product certification marks.
 - 8. The dishwashing equipment is clean, in good operating condition and maintains proper washing and rinsing temperatures.
 - 9. There is no evidence of cross-contamination between the potable and contaminated water systems.
 - 10. The ware washing area is clean and supplied with proper chemicals and Material Safety Data Sheets.
 - 11. The food is properly stored, labeled and rotated according to first-in first-out procedures.
 - 12. The food services staff and inmate workers are wearing clean uniforms and practice proper personal hygiene.

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13. All food services workers are trained for proper food handling and there is a person in charge who is responsible for the food safety of the facility.
14. There are ample hand-washing stations supplied with warm water under pressure, soap, a method to dry hands, a waste container and employee hand-washing signs.

Any deficiencies should be noted by the inspector in his/her inspection report, and recommendations made for corrective action.

At the exit interview, the inspector should cite any violations according to the government health and safety codes.

The inspector should conduct a follow-up inspection to verify the deficiencies have been corrected as recommended.

The food services manager should provide the Jail Commander with a plan to implement the recommended corrections in a timely manner and schedule a post-correction inspection with the original independent inspector.

Food Storage

908.1 PURPOSE AND SCOPE

The purpose of this policy is to establish food storage methods that are designed to meet manufacturer's recommendations, Health and Safety Codes, state laws and local ordinances, and to safely preserve food, extend storage life and reduce food waste.

908.2 POLICY

Food and food supplies will be stored in sanitary and temperature-controlled areas, in compliance with state and local health laws and standards (15 CCR 1243(c); 15 CCR 1245(a)).

908.3 PROCEDURES

The food services manager shall be responsible for establishing procedures to ensure the safe preservation and storage of food in the most cost-effective manner, beginning with the receipt of the raw materials through the delivery of prepared meals.

When receiving food deliveries, food services staff shall inspect the order for quality and freshness, and shall ensure that the order is correct by checking the order received against the order form. All delivery vehicles shall be inspected by food services staff to make certain that the vehicles are clean, free from vermin infestations and are maintained at the appropriate temperature for the type of food being carried.

If food quality and freshness do not meet commonly accepted standards or if it is determined that proper storage temperatures have not been maintained, the employee checking the order in will refuse the item and credit the invoice.

Any food destined for return to the vendor should be stored separately from any food destined for consumption. The food services manager will contact the vendor and arrange for replacement of the unacceptable food items.

Storage temperatures in all food storage areas should be checked and logged on a daily basis. Records of the temperature readings should be maintained in accordance with established records retention schedules.

An evaluation system should be established for food stored in any area with temperature readings outside the normal range, and should include contingency plans for menu changes, food storage relocation or food destruction, as indicated. All actions taken to ensure the safety of the food served should be documented and retained in accordance with established records retention schedules.

908.4 DRY FOOD STORAGE

Canned items and dry food that does not need refrigeration should be stored in a clean, dry, secure storage area where temperatures are maintained between 45 and 80 degrees. Temperatures shall be monitored and recorded once each day on a checklist.

Food Storage

All dry items shall be stored at least 6 inches off the floor and at least 6 inches away from any wall. Only full unopened cans and containers shall be stored in the storerooms. Open containers and packages shall be appropriately stored in the working or holding areas.

All storage areas will be kept locked when they are not in actual use. New food shipments shall be placed behind existing like items and rotated using a first-in first-out rotation method.

Personal clothing and personal items shall not be stored in food storage areas.

908.4.1 MAINTENANCE OF DRY FOOD STORAGE AREAS

Inmate workers or staff should clean the storage areas at least once each day by sweeping and mopping all floors and wiping down shelves and walls. Any damaged items should be inspected for spoilage and repackaged or discarded as appropriate. Food services staff should inspect the storage areas to ensure they are clean and orderly. Staff will document the inspection and record the daily temperature on the storage area checklist (15 CCR 1243(m)).

908.5 REFRIGERATED AND FROZEN STORAGE

Unless health codes dictate otherwise, refrigerators must be kept between 32 and 41 degrees. Deep chill refrigerators will be set between 28 and 32 degrees for cook-chill products, dairy and meat items, to extend shelf life. Freezers shall be maintained at 32 degrees or below.

All freezer and refrigerator storage areas should have at least two thermometers to monitor temperatures. One thermometer should have a display visible to the outside. The second thermometer shall be placed in the warmest place inside the storage area. Daily temperature readings shall be recorded on the storage area checklist. Any variance outside of acceptable temperature range shall be immediately addressed.

All food must be covered and dated when stored. Cooked items shall not be stored beneath raw meats. Cleaned vegetables shall be stored separately from unwashed vegetables. Storage practices shall use a first-in first-out rotation method.

908.5.1 MAINTENANCE OF REFRIGERATED AND FREEZER AREAS

Refrigeration storage units should be cleaned daily, including mopping floors and wiping down walls. A more thorough cleaning should occur weekly to include dismantling and cleaning shelves. Food services staff should inspect the contents of freezers and storage units daily to ensure all items are properly sealed and labeled (15 CCR 1243(m)).

908.5.2 STORAGE OF CLEANING SUPPLIES AND MATERIALS

The storage of soaps, detergents, waxes, cleaning compounds, insect spray and any other toxic or poisonous materials are kept in a separate, locked storage area to prevent cross contamination with food and other kitchen supplies.

908.6 WASTE MANAGEMENT

The food services manager shall develop and maintain a waste management plan that ensures the garbage is removed daily (15 CCR 1243(l)). This plan also should include methods to minimize the waste of edible food and to dispose of non-edible or waste food material without utilizing a landfill.

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Food Storage

Prescribed Therapeutic Diets

909.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that inmates who require prescribed therapeutic diets as a result of a diagnosed medical condition are provided with nutritionally balanced therapeutic meals that are medically approved and meet nutritional and safety standards.

909.2 POLICY

The Responsible Physician, in consultation with the food services manager, shall (15 CCR 1248):

- (a) Develop written procedures that identify individuals who are authorized to prescribe a therapeutic diet.
- (b) The therapeutic diets utilized by this facility shall be planned, prepared and served with consultation from a registered dietitian.
- (c) The Jail Commander shall comply with any therapeutic diet prescribed for an inmate.
- (d) The Jail Commander and the Responsible Physician shall ensure that the therapeutic diet manual, which includes sample menus of therapeutic diets, shall be available in both the health services and food services work areas for reference and information. A registered dietitian shall review, and the Responsible Physician shall approve, the therapeutic diet manual on an annual basis.

As a best practice, all therapeutic diet prescriptions should be reviewed and rewritten, if appropriate, on a quarterly basis. This is to reduce the risk of an inmate developing an adverse medical condition or nutritional effect as the result of a diet that is inconsistent with the inmate's current medical needs. A diet request form should be made available to inmates.

Pregnant or lactating women shall be provided a balanced, nutritious diet approved for pregnant women by a physician (15 CCR 1248).

909.3 STAFF COMMUNICATION/COORDINATION

It is the responsibility of the health authority to compile a daily list of all inmates who are prescribed therapeutic diets. The list should contain the following information:

- (a) Inmate's name
- (b) Inmate's identification number
- (c) Housing location or dining location where the meals will be delivered
- (d) Inmate's therapeutic diet type
- (e) Special remarks or instructions

Any time inmates are assigned to a different housing area, custody staff must notify the food services personnel immediately.

Prescribed Therapeutic Diets

909.4 PREPARATION AND DELIVERY OF MEALS

The food services manager or the authorized designee is responsible for reviewing the therapeutic diet lists prepared by the Responsible Physician, counting the number and type of therapeutic meals to be served and preparing the food according to the therapeutic menu designed by the registered dietitian.

Therapeutic diets may include snacks and oral supplements. Snacks and supplements should be distributed with regularly scheduled meal service or may be distributed with inmate medications. Individual labels or written documents containing the following information should be prepared by the kitchen, clearly identifying each meal and any included snacks:

- (a) Inmate's name
- (b) Inmate's identification number
- (c) Housing location or dining location where the meals will be delivered
- (d) Inmate's therapeutic diet type
- (e) A list of items provided for the meal

The custody staff responsible for meal distribution shall ensure that any inmate who has been prescribed a therapeutic meal by the Responsible Physician or the authorized designee receives the prescribed therapeutic meal. Inmates who receive a therapeutic meal should sign for receipt of the meal.

Therapeutic meal receipts should be retained in the inmate's medical record for an amount of time necessary to resolve any dispute about the receipt or composition of a prescribed meal.

Unless a therapeutic diet was prescribed with a specific end date, only the Responsible Physician or the authorized designee may order that a therapeutic diet be discontinued.

Inmates who are receiving therapeutic diets must receive clearance from the Responsible Physician before he/she may receive a religious or disciplinary diet.

If prescribed by the Responsible Physician, supplemental food shall be served to inmates more frequently than the regularly scheduled meals. An inmate who misses a regularly scheduled meal shall receive his/her prescribed meal.

909.5 THERAPEUTIC AND RELIGIOUS MEAL RECORDS

Inmates receiving prescribed therapeutic diet meals and/or authorized religious diet meals must sign a document indicating the following:

- Inmate's name
- Inmate's identification number
- Housing location or dining location where the meals will be delivered
- Inmate's therapeutic diet type

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Prescribed Therapeutic Diets

- A list of items provided for the meal

All information regarding a therapeutic diet is part of an inmate's medical record and is therefore subject to state and federal privacy laws concerning medical records.

All meal records shall be retained in accordance with established retention schedules and applicable statutory regulations.

Disciplinary Separation Diet

910.1 PURPOSE AND SCOPE

This policy establishes the requirement for providing inmates disciplinary separation diets when they are ordered for disciplinary reasons. The disciplinary separation diet will only be utilized after all of the provisions of the Disciplinary Separation section of the Disciplinary Separation Policy are implemented.

910.2 PROCEDURE

The food services manager shall prepare the disciplinary separation diet after receiving directions from the Jail Commander. Records of providing this diet shall be maintained by the food services manager.

The disciplinary separation diet shall be served twice during each 24-hour period and shall consist of one-half of a vegetable/meatloaf (see recipe below) per meal (or a minimum of 19 ounces of cooked loaf). The loaf shall be accompanied by two slices of whole wheat bread and at least one quart of water if the inmate does not have access to a water supply. The use of the disciplinary separation diet is an exception to the "three meals per day" policy described in the Food Services Policy (15 CCR 1247(a)).

910.3 DISCIPLINARY SEPARATION DIET RECIPE

The disciplinary separation diet shall consist of the following (15 CCR 1247(b)) :

- (a) 2 ½ oz. nonfat dry milk
- (b) 4 ½ oz. raw grated potato
- (c) 3 oz. raw carrots, chopped or grated fine
- (d) 1 ½ oz. tomato juice or puree
- (e) 4 ½ oz. raw cabbage, chopped fine
- (f) 7 oz. lean ground beef, turkey, or rehydrated, canned, or frozen Textured Vegetable Protein (TVP)
- (g) 2 ½ fl. oz. oil
- (h) 1 ½ oz. whole wheat flour
- (i) ¼ tsp. salt
- (j) 4 tsp. raw onion, chopped
- (k) 1 egg
- (l) 6 oz. dry red beans, pre-cooked before baking (or 16 oz. canned or cooked red kidney beans)
- (m) 4 tsp. chili powder

These ingredients should be shaped into a loaf and baked at 350-375 degrees for 50-70 minutes.

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Disciplinary Separation Diet

910.4 POLICY

It is the policy of this office to provide disciplinary separation diets as allowed by state law.

Chapter 10 - Inmate Programs

Inmate Programs and Services

1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the programs and services that are available to inmates. The programs and services exist to motivate offenders toward positive behavior while they are in custody. The policy identifies the role and responsibilities of the Inmate Programs Coordinator, who manages a range of programs and services.

1000.2 POLICY

The Kings County Sheriff's Office will make available to inmates a variety of programs and services subject to resources and security concerns. Programs and services offered for the benefit of inmates may include social services, faith-based services, recreational activities, library access, educational/vocational training, alcohol and drug abuse recovery programs and leisure time activities (15 CCR 1070).

1000.3 INMATE PROGRAMS COORDINATOR RESPONSIBILITIES

The Inmate Programs Coordinator is selected by the Jail Commander and is responsible for managing the inmate programs and services, including the following:

- (a) Research, plan, budget, schedule, and coordinate security requirements for all inmate programs and services.
- (b) Develop or procure programs and services as authorized by the Jail Commander (15 CCR 1070).
- (c) Act as a liaison with other service providers in the community that may offer social or educational programs (e.g., school districts, Department of Social Services, health educators, substance abuse counselors).
- (d) Develop, maintain, and make available to inmates the schedule of programs and services.
- (e) Develop policies and procedures, and establish rules for the participation of inmates in the programs and services.
- (f) Develop and maintain records on the number and type of programs and services offered, as well as inmate attendance at each offering.
- (g) Establish controls to verify that the content and delivery of programs and services are appropriate for the circumstances.
- (h) Accumulate data and prepare monthly and annual reports as directed by the Jail Commander.
- (i) Ensure inmates are not denied access to educational and vocational programs based solely on their indigent status.

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Inmate Programs and Services

1000.4 SECURITY

All programs and services offered to benefit inmates shall adhere to the security and classification requirements of this facility. To the extent practicable, the Inmate Programs Coordinator will develop individualized programs and services for inmates who are housed in high-security or administrative segregation.

1000.5 DISCLAIMER

Inmate programs are provided at the sole discretion of the Kings County Sheriff's Office in keeping with security interests, available resources and best practices.

Nothing in this policy is intended to confer a legal right for inmates to participate in any program offered other than what is required by law or that which is medically required.

Inmate Welfare Fund

1001.1 PURPOSE AND SCOPE

The Office is authorized to maintain a fund derived from proceeds from commissary, telephones and other inmate-related commerce activities to be used primarily to provide welfare and education programs for the benefit of the inmate population.

1001.2 POLICY

It is the policy of this office to maintain and administer an Inmate Welfare Fund that supports inmate programs.

1001.3 INMATE WELFARE FUND

The Inmate Programs Coordinator, in cooperation with the Department of Finance, will establish and maintain an Inmate Welfare Fund where proceeds derived from inmate telephones, commissary profits, and other income intended for the support of inmate programs are deposited.

The Inmate Welfare Fund is allocated to support a variety of programs, services and activities benefiting the general inmate population and enhancing inmate activities and programs. This includes capital construction and improvement projects in support of such programs, services and activities (Penal Code § 4025).

1001.4 INMATE WELFARE FUNDING SOURCES

Revenues and funding from the following sources shall be deposited into the Inmate Welfare Fund account:

- (a) All proceeds from commissary and canteen operations
- (b) Proceeds from the operation of inmate telephones
- (c) Proceeds from the sale of inmates' arts-and-crafts projects
- (d) Donations
- (e) Interest income earned by the Inmate Welfare Fund

1001.5 EXPENDITURE OF INMATE WELFARE FUNDS

The Inmate Welfare Fund shall be used solely for the welfare and benefit of the inmate population or as otherwise permitted by law.

Expenditures permitted from the Inmate Welfare Fund include, but are not limited to, the following:

- (a) Education programs
- (b) Recreational goods and services, such as:
 - 1. Recreational equipment, games and sporting goods

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2. Televisions and cable/satellite subscriptions, video players and content media
3. Library books
- (c) Salary and benefit costs for personnel while they are employed in positions or are performing activities solely for the benefit of inmates or to facilitate inmate programs
- (d) Welfare packages for indigent inmates
- (e) Alcohol and drug treatment programs
- (f) Inmate trust accounting system
- (g) Envelopes, postage and personal hygiene items for indigent inmates
- (h) Approved non-prescription, over-the-counter health aids for inmate use
- (i) Libraries designated for inmate use
- (j) Visiting room equipment, supplies and services
- (k) Inmate activity programs, including:
 1. Equipment for television viewing
 2. Visiting music/entertainment groups
 3. Music equipment and supplies
 4. Activities equipment, supplies and services
 5. Repair of equipment purchased from the Inmate Welfare Fund
 6. Food or supplies for special occasions
 7. Entertainment equipment, cable or satellite subscription services and other related supplies
 8. Materials for faith-based programs

1001.5.1 PROHIBITED EXPENDITURES OF INMATE WELFARE FUND

Except as permitted by law, the Inmate Welfare Fund shall not be used to fund activities associated with any of the following:

- (a) Security-related functions, including staff, safety equipment, radios, weapons or control devices that are specifically designated for use by the custody staff in maintaining the security, safety and order in the facility
- (b) Food service, staff costs, equipment and supplies
- (c) Medical/dental services, staff costs, equipment and supplies
- (d) Maintenance and upkeep of office facilities not otherwise permitted by law
- (e) Janitorial services and supplies

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Inmate Welfare Fund

- (f) Transportation to court, medical appointments or other reasons not related to inmate programs
- (g) Any other normal operating expenses incurred by the day-to-day operation of the Office

1001.6 FINANCIAL ACCOUNTING OF INMATE WELFARE FUNDS

The Accounting & Purchasing Technician in cooperation with the Department of Finance shall maintain an accounting system to be used for purchasing goods, supplies and services that support inmate programs.

An audit of the Inmate Welfare Fund shall be completed annually by a certified auditor recognized by the Office as an authorized financial auditor. This annual audit shall be delivered to the Sheriff. An itemized report on expenditures shall also be submitted annually to the Kings County Board of Supervisors (Penal Code § 4025 (b)).

1001.6.1 ANNUAL REPORTING

The Jail Commander is responsible for ensuring an annual report of expenditures from the Inmate Welfare Fund is submitted annually to the County Board of Supervisors (Penal Code § 4025).

Inmate Visitation

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and to provide a process for inmate visits and visitors. Visitation is a privilege and is based on space availability, schedules and on-duty staffing.

1002.1.1 DEFINITIONS

Definitions related to this policy include:

In-person visit - An on-site visit that may include barriers. In-person visits include interactions in which an inmate has physical contact with a visitor, the inmate is able to see a visitor through a barrier, or the inmate is otherwise in a room with a visitor without physical contact. "In-person visit" does not include an interaction between an inmate and a visitor through the use of an on-site two-way audio/video terminal.

Video visitation - Interaction between an inmate and a member of the public through the means of an audio-visual communication device when the member of the public is located at a local detention facility or at a remote location.

1002.2 POLICY

It is the policy of the Kings County Sheriff's Office to allow inmate visitation, including video visitation when applicable, as required by law.

1002.3 PROCEDURES

The Office shall provide adequate facilities for visiting that include appropriate space for the screening and searching of inmates and visitors and storage of visitors' personal belongings that are not allowed in the visiting area.

The Jail Commander shall develop written procedures for inmate visiting, which shall provide for as many visits and visitors as facility schedules, space, and number of personnel will reasonably allow, with no fewer visits allowed than specified by 15 CCR 1062 per week, by type of facility. The procedures are subject to safety and security requirements and should consider:

- The facility's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.
- Video visitation if applicable (Penal Code § 4032; 15 CCR 1062).

The visiting area shall accommodate inmates and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to inmates and disabled visitors to facilitate a visitation period.

Inmate Visitation

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

Court orders granting a special inmate visitation are subject to county legal review and interpretation.

1002.3.1 VISITOR REGISTRATION AND IDENTIFICATION

All visitors must register and produce a valid state, military, tribal or other government identification. Identification will be considered valid for 90 days after expiration, provided the visitor has renewed the ID and has proof of the renewal.

- (a) The registration form must include the visitor's name, address and the relationship to the inmate.
- (b) A valid identification shall include the following:
 - 1. A photograph of the person
 - 2. A physical description of the person
- (c) An official visitor shall present proof of professional capacity. For example, attorney license/Supreme Court card, law enforcement identification or a business card/letterhead of the business with the visitor's name.

Failure or refusal to provide a valid identification is reason to deny a visit.

1002.4 AUTHORIZATION TO SEARCH VISITORS

Individuals who enter the secure perimeter of this facility are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or is attempting to bring contraband onto the facility property or into the facility. All searches shall be made in accordance with current legal statutes and case law.

The area designated for a visitor to be searched prior to visiting with an inmate shall have a notice posted indicating that any cellular telephone, wireless communication device or any component thereof shall be confiscated for the period of the visitation and returned to the visitor upon departure from the facility (Penal Code § 4576(b)(3)).

1002.5 VISITING SCHEDULE

The Jail Commander shall designate a person to develop a schedule for inmate visitation that includes daytime, evening and weekend hours. Each inmate shall receive a copy of the visitation schedule in the inmate handbook at orientation. The visiting hours will also be posted in the public area of the facility.

1002.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES

Visitation may be denied or terminated by a supervisor if the visitor poses a danger to the security of the facility or there is other good cause, including, but not limited to, the following:

Inmate Visitation

- (a) The visitor appears to be under the influence of drugs and/or alcoholic beverages.
- (b) The visitor refuses to submit to being searched.
- (c) The visitor or inmate violates facility rules or posted visiting rules.
- (d) The visitor fails to supervise and maintain control of any minors accompanying him/her into the facility.
- (e) Visitors attempting to enter this facility with contraband will be denied a visit and may face criminal charges.

Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the facility, shall have the actions and reasons documented. A copy of the documentation will be placed into the inmate's file and another copy will be forwarded to the Jail Commander.

1002.7 GENERAL VISITATION RULES

All visitors and inmates will be required to observe the following general rules during visitation:

- (a) A maximum of two adults and two children will be permitted to visit an inmate at any one time. Children visiting inmates must be deemed age appropriate by the parent or guardian accompanying the child. Where a dispute over children visiting occurs between the inmate and the parent or legal guardian, the inmate will be advised to use the court for resolution. Adults must control minors while they are waiting to visit and during the visit.
- (b) An inmate may refuse to visit with a particular individual.
- (c) Those inmates who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.
- (d) Visitors must be appropriately attired prior to entry into the visitor's area of the facility.
- (e) Inappropriate clothing, such as transparent clothing, halter-tops, excessively tight or revealing clothing, hats and bandannas or any other clothes associated with a criminal gang or otherwise deemed by the staff to be unacceptable, will not be permitted.
- (f) All visitors must have footwear.
- (g) Visitors will leave all personal items, with the exception of car keys and identification, outside of the secure area. Visitors who enter the facility with handbags, packages or other personal items will be instructed to lock the items in a vehicle or locker or return at another time without the items. The facility is not responsible for lost or stolen items.
- (h) Food or drink is not permitted in the visitor's area.

Inmate Visitation

- (i) Inmates will be permitted to sign legal documents, vehicle release forms or any other items authorized by the Shift Supervisor. Transactions of this nature will not constitute a regular visit.

1002.8 SPECIAL VISITS

The Shift Supervisor may authorize special visitation privileges, taking into consideration the following factors:

- The purpose of the visit
- The relationship of the visitor to the inmate
- The circumstances of the visit
- Distance traveled by the visitor

Whenever a special visit is denied, an entry into the duty log will be made. The entry will include the requesting visitor's name and the reason why the visit was denied.

1002.9 ATTORNEY VISITS

Inmates shall have access to any attorney retained by or on behalf of the inmate, or to an attorney the inmate desires to consult, in a private interview room. Staff shall not interfere with, suspend or cancel official visits except in circumstances where the safety, security or good order of the facility is compromised (see the Inmate Access to Courts and Counsel Policy).

Alternative Work Program

1003.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines and requirements for the Alternative Work Program. The Alternative Work Program allows inmates to maintain employment, support families and continue to spend their nights at their residences.

1003.2 POLICY

It is the policy of this office to operate a voluntary Alternative Work Program to provide inmates with opportunities to secure or maintain employment, support families, assist in the payment of fines and penalties to the court and avoid being incarcerated in the jail (Penal Code § 4024.2(a)).

The work programs shall be conducted in accordance with state and local guidelines. In cases of pretrial release, the courts may have jurisdiction over release decisions.

1003.3 WORK RELEASE PROGRAM

Any inmate who has met the eligibility requirements and received approval may be granted permission to avoid incarceration in the jail and to work in community work programs in accordance with state and local guidelines, court orders and the provisions of this policy.

The Jail Commander or the authorized designee has sole authority to approve participation in the program for each inmate, and is responsible for the overall conduct and administration of the Alternative Work Program.

The Alternative Work Program participants are limited to geographic restrictions of the facility and must remain within state boundary lines unless otherwise ordered by the sentencing court.

1003.3.1 ELIGIBILITY

In order to be eligible for the Alternative Work Program, an inmate must meet the following requirements:

- Sentenced directly to work release programs by the court
- No documented disciplinary incidents
- No outstanding warrants, wants or detainers

Inmates who do not adhere to the rules of the program will be subject to removal from the program and to disciplinary and criminal action in accordance with the rules of the facility and applicable laws.

1003.3.2 STAFF RESPONSIBILITY

The Alternative Work Program staff is responsible for assigning each participant to an appropriate community work program. The staff should inform the community work program officials and the inmate (work participant) of the rules and expectations for program participants.

Alternative Work Program

The program staff shall provide each community work program official with the facility's contact information and telephone number, and should be instructed to notify the facility immediately if an inmate does not report to work, leaves prior to the scheduled departure time or if any concerns arise during the work shift.

1003.3.3 DAILY WORK ITINERARIES

Inmates (work participants) must have an approved daily work itinerary prior to leaving the facility. The itinerary should include the following:

- Scheduled start and stop times for work
- Anticipated amount of travel time between the facility and the program location, each way
- Mode of transportation each way (e.g., bus, car, walk)
- Location of the program
- Contact name, address and telephone number of the work program official
- Contact name, telephone number, driver's information of the transport person if the inmate does not have a valid license
- Contact name and telephone number of the on-duty program staff supervisor

Any change to the itinerary (e.g., overtime, location of the work location, transportation) must be approved in advance by the Jail Commander or the authorized designee.

1003.3.4 FINANCIAL OBLIGATIONS

All inmates who participate in the Alternative Work Program shall abide by their payment schedule.

1003.3.5 EMPLOYER VERIFICATION

The Alternative Work Program staff may make scheduled telephone calls and random site visits to the inmate's program site to ensure compliance with the rules of the program.

1003.3.6 DRUG TESTING

Random and scheduled drug testing may be conducted on all inmates participating in the Alternative Work Program. Any positive results may cause the inmate's disqualification from the program, as well as disciplinary sanctions or criminal charges, if warranted.

1003.4 RECORDS

The following records shall be maintained by the Jail Commander or the authorized designee on all inmates participating in the Alternative Work Program:

- (a) All payments and accounting associated with the Alternative Work Program

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Alternative Work Program

- (b) All contacts between the staff and employers prior to assigning inmates to work and confirming all program information
- (c) All daily logs of time worked and payments received

Inmate Work Program

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines and requirements for the Inmate Work Program. The Inmate Work Program allows inmates to improve and/or develop useful job skills, work habits and experiences that will facilitate a successful return to the community.

1004.2 POLICY

The Kings County Sheriff's Office shall operate an Inmate Work Program within the secure perimeter of the facility, in accordance with all applicable federal, state or local work safety laws, rules and regulations, and to the extent that the operation of inmate work programs do not pose a risk to the safety of the staff, other inmates or the public. This policy establishes the requirements, selection process, supervision and training of inmates prior to and after entering the facility's Inmate Work Program.

1004.3 LEGAL REQUIREMENTS

1004.3.1 SENTENCED INMATE WORK REQUIREMENTS

All sentenced inmates who are physically and mentally able shall work if they are not assigned to other programs. Inmates shall not be required to perform work which exceeds their physical limitations. Inmates may be excused from work in order to maintain their participation in an educational, vocational or drug abuse treatment program. The Office will abide by all laws, ordinances and regulations when using inmates to work in the facility.

1004.3.2 PRETRIAL AND UNSENTENCED INMATE WORK REQUIREMENTS

Pretrial inmates and those awaiting sentencing may not be required to work, except to do personal housekeeping and to clean their housing area. However, they may volunteer for work assignments.

1004.4 INMATE WORKER SELECTION

The Programs Senior Deputy shall be responsible for the selection and assignment of inmates to the various work assignments. The Senior Deputy should solicit input from other custody staff in assisting with inmate selection and assignment. The Staff also shall take into consideration the following eligibility criteria:

- (a) Inmates who have posed a threat in the past or have been charged with escape should be carefully screened for inmate work projects.
- (b) The inmate's charges and classification are such that the inmate will not pose a security risk to other inmates, staff or the public.
- (c) The inmate's capacity to perform physical tasks will match the job requirements.
- (d) The inmate is able to learn the necessary work routines.

Inmate Work Program

- (e) The special interests, abilities, craft or trade of the inmate will benefit the work assignment.
- (f) Being classified as a member of or an associate of a criminal street gang, or housed in an area which houses inmates that are classified as criminal street gang members may affect your selection by the Programs Unit supervisor for work assignments in or outside the facility.

Inmates must be able to pass a health screening test in accordance with the policies contained in this manual, and must meet all statutory and regulatory requirements. Health-screening shall be done for inmates who work in the kitchen, around food products or who serve meals to the inmate population.

1004.5 WORK ON PUBLIC PROJECTS

Sentenced inmates may be assigned to public works projects with state, municipal and local government agencies, or to community service projects, with the approval of the Sheriff and in accordance with all applicable laws and regulations.

1004.6 PROHIBITION OF NON-PUBLIC WORK PROJECTS

Work projects on behalf of any private individual or to an individual's private property are strictly prohibited and may constitute a violation of the law.

1004.7 SUPERVISION OF INMATE WORKERS

Facility staff in charge of work programs or who provide supervision of inmates assigned to work crews should adhere to the following:

- (a) Inmate workers should be provided with safety equipment, clothing and footwear commensurate with the work performed. Safety equipment may include, but is not limited to, eye protection, gloves, hardhat or headwear and sunscreen for protection from sun exposure.
- (b) Work periods shall not exceed nine 10 hours per day.
- (c) Inmate workers should be provided with work breaks to allow them to take care of personal needs.
- (d) Inmate workers shall have access to nutritious meals and a reasonable amount of time to consume those meals during their work period.
- (e) Inmates who work shifts during the early morning or late-night hours should be provided with quiet space to allow for sleep during daytime hours.
- (f) The inmate workday approximates the workday in the community.

Inmate Work Program

Inmate workers shall be under the direct supervision of Deputized County employees at all times when they are on assignment through the Inmate Work Program.

Persons who are responsible for the supervision of inmates on work crews should receive training in basic areas of safety, security and reporting procedures.

Disciplinary action for inmate worker misconduct shall adhere to the Inmate Discipline Policy.

Any inmate worker who works outside the jail facility needs to be placed on the BOSS Chair upon entrance to the jail. Ensure when they are placed on the BOSS Chair that they are not wearing a jumpsuit or anything with metal. Male inmates should wear boxers and a t-shirt and females should wear a nightgown and underwear.

1004.8 INMATE WORKER TRAINING

Inmates who are assigned to work in any area that may require the handling of any chemicals or the use of any equipment shall receive training from the respective office supervisor prior to using the chemicals or equipment. Work-crew supervisors shall also train inmate workers on safety practices. Inmates should never be assigned to handle dangerous chemicals or equipment that normally require a level of expertise and competency beyond their demonstrated ability.

1004.9 INMATE WORKER INCENTIVES

The Jail Commander is responsible for establishing a recognition program for inmates assigned to the Inmate Work Program. Recognition of inmates can be observed in the following ways:

- (a) Granting "Good Time and Work" credits as allowed by state or local law.
- (b) Using credits for sentence reduction when allowed by statute.

Inmate Telephone Access

1005.1 PURPOSE AND SCOPE

This policy establishes guidelines for permitting inmates to access and use telephones.

1005.2 POLICY

The Jail will provide access to telephones for use by inmates consistent with federal and state law. The Jail Commander or the authorized designee shall develop written procedures establishing the guidelines for access and usage (15 CCR 1067). All inmates will be provided a copy of the telephone usage rules as part of their inmate orientation during the booking process.

1005.3 PROCEDURE

Inmates housed in general population will be permitted reasonable access to public telephones at scheduled times in the dayrooms for collect calls unless such access may cause an unsafe situation for the facility, staff or other inmates. All calls, with the exception of calls to a verified attorney, are monitored and recorded.

Inmates are not permitted to receive telephone calls. Messages will only be delivered in the event of a verified emergency.

In the event of a facility emergency, or as directed by the supervisor or Jail Commander, all telephones will be turned off.

For security reasons, inmates who are awaiting transport to another facility or release to another agency are not permitted to use the telephones.

Telecommunications Device for the Deaf (TDD) or equally effective telecommunications devices will be made available to inmates who are deaf, hard of hearing or have speech impairments to allow these inmates to have equivalent telephone access as those inmates without these disabilities.

The minimum time allowed per call should be 10 minutes, except where there are substantial reasons to justify such limitations. Reasons for denial of telephone access shall be documented and a copy placed into the inmate's file. The rules governing the use of the telephone will, in addition to being provided to inmates during orientation, be posted near the telephones.

The staff should monitor the use of public telephones to ensure inmates have reasonable and equitable access and that the rules of use are observed. Any inmate refusing to cooperate with the telephone rules may have his/her call terminated, telephone privileges suspended and/or incur disciplinary action.

Requirements relating to the use of telephones during booking and reception are contained in the Inmate Reception Policy.

Inmate Telephone Access

1005.4 USE OF TELEPHONES IN HIGH-SECURITY OR ADMINISTRATIVE SEGREGATION HOUSING

Inmates who are housed in high-security or administrative segregation may use the public telephones in the dayroom during the time allocated for that classification of inmate to utilize that space. If portable telephones are available in the facility, inmates who are housed in high-security or administrative segregation units may have reasonable access to the portable telephones.

1005.5 COURT-ORDERED TELEPHONE CALLS

If a court order specifying free telephone calls is received by the facility, or a supervisor determines there is a legitimate need for a free telephone call for a specific inmate, the supervisor may direct that an inmate use a facility telephone at no charge. Calls placed from a facility telephone should be dialed by a staff member. The staff shall be responsible for ensuring that the inmate is not calling a number that has been restricted by a court order or by request of the recipient. Such a call shall be recorded to the same extent authorized for by any non-legal calls that are not court-ordered.

1005.6 ATTORNEY-CLIENT TELEPHONE CONSULTATION

At all times through the period of custody, whether the inmate has been charged, tried, convicted or is serving an executed sentence, reasonable and non-recorded telephone access to an attorney shall be provided to the inmate at no charge to either the attorney or to the inmate, in accordance with the Inmate Access to Courts and Counsel Policy.

Foreign nationals shall be provided access to the diplomatic representative of their country of citizenship. Staff shall assist them upon request. Domestic and international calling cards are available through the inmate commissary.

1005.7 TELEPHONE CONTRACTS AND CHARGES

The Jail Commander or the authorized designee is responsible for ensuring that all contracts involving telephone services for inmates comply with all applicable state and federal regulations, that rates and surcharges are commensurate with those charged to the general public for similar services, and that the broadest range of calling options is provided, in accordance with sound correctional management practices.

Inmate Mail

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the receipt, rejection, inspection and sending of inmate mail.

1006.2 POLICY

This office will provide ample opportunity for inmates to send and receive mail, subject to restriction only when there is a legitimate government interest.

1006.2.1 INDIGENT INMATES

Upon request, indigent inmates will be permitted to post at least two postage-paid letters each week. There shall be no limit on the number of postage-paid letters to a legal representative of the courts or others identified under the following section (Title 15 CCR § 1063(e)).

1006.3 CONFIDENTIAL CORRESPONDENCE

Inmates may correspond confidentially with courts, legal counsel, officials of this office, elected officials, the Department of Corrections, jail inspectors, government officials, or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities.

Foreign nationals shall have access to the diplomatic representative of their country of citizenship. Staff shall assist in this process upon request.

Facility staff may inspect incoming confidential correspondence for contraband. Facility staff may inspect out going confidential correspondence for contraband before it is sealed, provided the inspection is completed in the presence of the inmate. In the event that confidential correspondence is inspected, staff shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read the content of the correspondence itself (15 CCR 1063(c)).

1006.4 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES

Mail privileges may be suspended or restricted upon approval of the Jail Commander whenever staff becomes aware of mail sent by an inmate that involves (15 CCR 1083(h)):

- (a) Threats of violence against any member of the government, judiciary, legal representatives, victims or witnesses.
- (b) Incoming or outgoing mail representing a threat to the security of the facility, staff or the public.

The District Attorney or County Counsel should be consulted in cases where criminal charges are considered against an inmate or there is an apparent liability risk to the Office that relates to suspension or restriction of mail privileges.

Inmate Mail

1006.5 PROCESSING AND INSPECTION OF MAIL BY STAFF

Staff should process incoming and outgoing mail as expeditiously as reasonably possible. All incoming and outgoing mail should be processed within 24 hours and packages within 48 hours. Mail processing may be suspended on weekends, holidays or during any emergency situation.

Assigned deputies should open and inspect all incoming and outgoing general mail of current inmates. the incoming correspondence may be read as frequently as deemed necessary to maintain security or monitor a particular problem. Mail for inmates no longer in custody should not be opened.

Outgoing general mail may not be sealed by the inmate and may be read by staff when:

- (a) There is reason to believe the mail would:
 - 1. Interfere with the orderly operation of the facility.
 - 2. Be threatening to the recipient.
 - 3. Facilitate criminal activity.
- (b) The inmate is on a restricted mail list.
- (c) The mail is between inmates.
- (d) The envelope has an incomplete return address.

When mail is found to be inappropriate in accordance with the provisions of this policy or when an inmate is sent material that is not prohibited by law but is considered contraband by the facility, the material may be returned to the sender or held in the inmate's property to be given to the inmate upon release.

Inmates are allowed to correspond with other inmates in this jail, as well as other jails or correctional institutions, as long as they pay for the mailing and the mailing is sent and received through the U.S. Postal Service.

Inmates shall be notified in writing whenever their mail is held or returned to the sender. Mail logs and records, justification of censoring or rejection of mail, and copies of hold or return notices shall be maintained in the inmate's file in accordance with established records retention schedules.

Cash, government checks, and money orders contained in incoming inmate mail shall be removed and credited to the inmate's account. Personal checks may be returned to the sender or held in the inmate's property to be given to the inmate upon release.

1006.5.1 DESIGNATION OF STAFF AUTHORIZED TO READ MAIL

Only staff members designated by the Jail Commander are authorized to read incoming and outgoing non-confidential mail. These staff members should receive training on legitimate government interests for reading and censoring mail and related legal requirements (15 CCR 1063).

Inmate Mail

1006.5.2 CENSORSHIP OF INCOMING AND OUTGOING NON-CONFIDENTIAL CORRESPONDENCE

In making the determination of whether to censor incoming non-confidential correspondence, consideration shall be given to whether rejecting the material is rationally related to a legitimate government interest, and whether alternate means of communicating with others is available. The impact the correspondence may have on other inmates and jail staff is also a factor. Reasonable alternatives should be considered and an exaggerated response should be avoided; for example, discontinuing delivery of a magazine because of one article.

Outgoing non-confidential correspondence shall only be censored to further a substantial government interest, and only when it is necessary or essential to the address the particular government interest. Government interests that would justify confiscation of outgoing mail include:

- (a) Maintaining facility security.
- (b) Preventing dangerous conduct, such as an escape plan.
- (c) Preventing ongoing criminal activity, such as threats of blackmail or extortion, or other similar conduct.
- (d) Preventing harassment of those who have requested that no mail be sent to them by the inmate.

Correspondence and material identified for censorship shall be delivered to the Shift Supervisor, who shall make the decision if such mail will be censored.

Notices should be sent to the sender of censored correspondence or publications, even when the sender is the editor or publisher. A single notification may be sent if the publication is received by multiple inmates.

1006.5.3 DOCUMENTING REJECTED OR CENSORED CORRESPONDENCE

In each case where it is necessary to remove any item, or reject or censor correspondence, a written record must be made of such action, to include:

- (a) The inmate name and number.
- (b) A description of the mail in question.
- (c) A description of the action taken and the reason for such action.
- (d) The disposition of the item involved.
- (e) Signature of the deputy.
- (f) Notification to the inmate and sender (unless such notification jeopardizes any investigation or the security of the facility).

1006.6 BOOKS, MAGAZINES, NEWSPAPERS AND PERIODICALS

Unless otherwise in conflict with this policy and prohibited by the Jail Commander, inmates are permitted to purchase, receive and read any book, newspaper, periodical or writing accepted for distribution by the U. S. Postal Service (15 CCR 1066(a)).

Inmate Mail

Publications, magazines or newspapers shall be accepted only if they are mailed directly from the publisher to a named inmate. A local daily newspaper in general circulation, including a non-English publication shall be made available to interested inmates (15 CCR 1066(b)).

1006.7 REJECTION OF MAGAZINES AND PERIODICALS

The Office may reject magazines, periodicals, and other materials that may inhibit the reasonable safety, security, and discipline in the daily operation of this facility. Generally, books, newspapers, and magazines are accepted only if they are sent directly by the publisher. Materials that may be rejected include but are not limited to (15 CCR 1066(a)):

- Materials that advocate violence or a security breach.
- Literature that could incite racial unrest.
- Sexually explicit material, including pornographic magazines, nude pictures, or pictures or descriptions of sexually explicit activities.
- Obscene publications or writings and mail containing information concerning where or how such matter may be obtained; any material that would have a tendency to incite murder, arson, riot, violent racism, or any other form of violence; any material that would have a tendency to incite crimes against children; any material concerning unlawful gambling or an unlawful lottery; any material containing information on the manufacture or use of weapons, narcotics, or explosives or any other unlawful activity.
- Material that could lead to sexual aggression or an offensive environment for inmates.
- Material that could create a hostile or offensive work environment.
- Any material with content that could reasonably demonstrate a legitimate government interest in rejecting the material.

Staff shall notify the Shift Supervisor whenever a decision is made to reject books, magazines, or periodicals. The Jail Commander or the authorized designee will be responsible for making the final decision as to the specific magazines, periodicals, and other materials that will be prohibited within this facility.

Religious texts not supplied by facility-authorized entities may be accepted by the chaplain or other religious volunteer who has received training on facility rules involving contraband, and who has been approved by a supervisor to review such documents for distribution.

1006.8 FORWARDING OF MAIL

Any non-legal mail received for a former inmate should be returned to the sender with a notation that the inmate is not in custody. Obvious legal mail should be forwarded to the former inmate's new address if it is reasonably known to the facility. Otherwise, legal mail should be returned to the sender.

Inmate Mail

1006.9 INDIGENT INMATE REQUESTS FOR WRITING MATERIALS

Indigent inmates shall receive writing materials on a weekly basis, as provided by an approved schedule established by the Jail Commander. Writing materials should include the following (15 CCR 1063):

- (a) At least two pre-stamped envelopes for correspondence with family and friends
- (b) At least two sheets of paper
- (c) One pencil

Indigent inmates shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with courts, legal counsel, officials of this office, elected officials, jail inspectors, government officials, and officials of the Board of State and Community Corrections. There shall be no limitation on the number of postage-paid envelopes and sheets of paper permitted for correspondence to the indigent inmate's attorney and to the courts (15 CCR 1063(e)).

Requests shall be screened and granted based on need by the Inmate Programs Coordinator. Inmates should not be permitted to maintain an excess supply of writing materials without the approval of a supervisor.

Inmate Educational, Vocational and Rehabilitation Programs

1007.1 PURPOSE AND SCOPE

This office provides educational and vocational programs that are designed to help inmates improve personal skills, assist in their social development and improve inmate employability after release. The ability of the office to offer educational programs is dictated by available funding, inmate classification and other required inmate programs and routines.

1007.2 POLICY

The educational and vocational programs offered by the Office are available to all eligible inmates and are subject to schedule, space, personnel and other resource constraints.

Designated space for inmate education and vocational programs will, whenever practicable, be designed in consultation with the appropriate school authorities or educational/vocational service providers.

Adequate funding is required. If the funding source reduces or eliminates funding in these areas, educational and/or vocational programs may be reduced or eliminated.

While the housing classification of an inmate has the potential to pose security issues, every effort, to the extent reasonably practicable, will be made to provide individualized educational opportunities (15 CCR 1061).

1007.3 INMATE PROGRAMS COORDINATOR

The Sheriff or the authorized designee shall appoint an Programs Senior Deputy , who shall be responsible for managing all aspects of the inmate educational and vocational program. Those duties include, but are not limited to:

- (a) Developing the program plans.
- (b) Developing or directing the curricula for each educational, vocational and testing component.
- (c) Developing and implementing individualized programs for high-risk or administrative inmates, as needed.
- (d) Coordinating with Detentions Deputies regarding the security issues associated with these programs.
- (e) Developing and maintaining records of all needs assessments, all training offered, all inmate attendees, testing records and class evaluations.
- (f) Forecasting the annual cost of the program and coordinating with the Commander to secure funding.

Inmate Educational, Vocational and Rehabilitation Programs

1007.4 COURSE OFFERINGS

Course offerings will be subject to need, available resources, security concerns, available space and inmate classification, and may include the following:

- Basic education, General Educational Development (GED) preparation
- English as a second language (ESL)
- Basic literacy
- Substance abuse and healthy lifestyles education
- Parenting courses
- Basic computer instruction
- Basic life skills
- Vocational skills such as:
 - Basic office skills
- Other courses as deemed appropriate by the Programs Senior Deputy.

1007.5 OUTREACH

Information about educational opportunities should be included in the general inmate orientation. At a minimum, inmates should receive instruction on how to request participation in the inmate education programs, along with eligibility requirements and rules for participation.

1007.6 ELIGIBILITY REQUIREMENTS

Educational/vocational programming (other than televised courses) may be offered to sentenced and pretrial inmates. The Sheriff shall ensure that there is equal opportunity for participation for male and female inmates.

1007.7 INMATE REQUESTS

Inmates should be given a form to request participation in the inmate education program. Inmate requests will be forwarded to the Programs Senior Deputy, who will have the facility classification staff screen and approve the request.

The Programs Senior Deputy will notify the inmate whether he/she has been approved for an education program. If approved, the Programs Senior Deputy will provide instruction to the inmate on how to access the program services and will notify the affected facility staff about the inmate's scheduled attendance.

Inmates may also contact the Programs Senior Deputy at any time via an inmate request slip to request information regarding educational opportunities.

Inmates have the right to refuse to participate in programs other than work assignments or programs that are required by statute or court order.

Inmate Educational, Vocational and Rehabilitation Programs

1007.8 SELF-STUDY PROGRAM

Whenever reasonably feasible, the basic educational program may be presented by self-study tutoring.

Inmates admitted into the GED program are issued the necessary books and supplies. Studying is done throughout the day.

Upon completion of a GED self-study program, the inmate may be given the opportunity to take the GED test.

1007.9 HIGH-SECURITY/ADMINISTRATIVE SEGREGATION INMATES

To the extent reasonably practicable, high-security inmates and those held in administrative segregation may receive individual instruction in the form of a correspondence course.

1007.10 REHABILITATION PROGRAM

The Office provides opportunities for rehabilitation programs that are based upon victim and community input and are fashioned in a way that gives the inmate an opportunity to make amends for the harm done.

The Sheriff and Jail Commander should work with other justice system partners to create such programs and opportunities. Examples include the following:

- Programs designed to deter domestic violence and substance abuse
- Community service, such as supervised public works projects

1007.11 DISCLAIMER

Nothing in this policy is meant to confer a legal right for inmates to participate in any educational offering. Educational programming is provided at the sole discretion of the Sheriff and Jail Commander.

1007.12 CLASSROOM USE AND DESIGN

The demographics of the inmate population should always be considered when developing educational and other programs. Inmate classification and segregation requirements also need to be considered.

The Jail Commander should encourage and include educators in the set up and design of classrooms that have been identified for inmate education programs. To the extent reasonably possible, in consideration of the space design and the ability to provide adequate security, teachers, education managers and administrators should be consulted to ensure that their needs are met.

In addition to the traditional classroom approach to educational programming, there are several other delivery methods. These include independent study and computer education programs.

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Inmate Educational, Vocational and Rehabilitation Programs

1007.13 NEW CONSTRUCTION OR RENOVATION

Whenever construction of new facilities is considered, the Jail Commander may include education specialists during the design phase to ensure that the needs of education providers are met with regard to security, sound levels and educational equipment.

The Jail Commander may seek technical assistance from consultants to school districts that provide education programs in correctional settings. There are also networks of educators who can provide valuable consulting services in order to keep pace with rapidly evolving program and legislative issues that are related to education.

Inmate Accounts

1008.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures for managing, handling and accounting of all money belonging to inmates that is held for their personal use while they are incarcerated in this facility.

1008.2 INMATE ACCOUNTS

The Office will establish an inmate account for the purpose of receiving funds from authorized sources for inmate use. A separate account will be established for each inmate when he/she is booked into this facility.

When an inmate is admitted to the jail, a written, itemized inventory of the money in the inmate's possession shall be completed. Any subsequent deposits to the inmate's fund shall be inventoried and documented. An inmate shall be issued a receipt for all money held until his/her release.

An inmate may use money in his/her inmate account for bail or to purchase items from the inmate commissary. Inmates may receive and release money while in custody. Funds will be made available to inmates for their use in accordance with the rules and regulations established by the Jail Commander.

1008.3 FUNDING SOURCES

The inmate account will only accept funds for deposit from approved sources.

1008.3.1 DEPOSITS DURING BOOKING

All money received during the booking process shall be deposited to the inmate's account.

1008.3.2 DEPOSITS THROUGH THE MAIL

All funds received by mail to be deposited to an inmates account shall be delivered to the booking supervisor after signed acknowledgement by the inmate.

Only money orders and cashiers checks that are received through the mail are acceptable for deposit into inmate accounts. Although cash may be accepted for deposit at time of booking, it is not accepted when sent through the mail. All cash, personal checks, payroll checks and other unapproved monies will be returned to sender. If unable to return to sender any unapproved funds will be placed in the inmates property bag and may be retrieved once released.

1008.4 AUTHORIZATION FOR SELF-BAIL

Inmates wishing to use their personal funds as bail must sign a property/money release form. This transaction document must be received by the Office before the inmate's account can be debited and a receipt issued.

Inmate Accounts

1008.5 RELEASE OF FUNDS TO OTHER PERSONS

Inmates wishing to release their personal funds to a person who is not in custody must sign a property/money release form prior to the release of the funds. Inmates may release all but \$20.00 of his/her account. The person to whom the funds are to be released must contact the jail information window during normal business hours and provide a valid form of state identification and complete the property/money release recipient portion. Once the inmates account has been debited the inmate will receive a confirmation receipt. The completed property/money release form will be attached to the receipt and filed in the inmates booking jacket for record purposes.

1008.6 RELEASE FROM CUSTODY

The booking Supervisor will check for inmate releases daily. Each inmate's account will be accessed and adjusted to show a zero balance. Any money owed will be returned to the inmate only after he/she signs a receipt acknowledging the balance due.

1008.7 CASHIER RESPONSIBILITY

The Shift Supervisor will verify all funds received against the amounts recorded on the inmate account financial record. The Shift Supervisor will then post the funds to the inmate's account and prepare a receipt for the inmate.

At the end of every shift, each Shift Supervisor shall be responsible for balancing all transactions completed during the shift and shall complete a cash activity sheet itemizing each type of transaction.

All monies shall be counted, verified against the transactions, bundled and placed in a designated secure safe.

Any unresolved discrepancies found during the balancing procedures shall be promptly reported. The Shift Supervisor reporting the discrepancies shall prepare a report showing the amount of the discrepancy.

The report shall include the following:

- (a) Date and time each cash discrepancy was discovered
- (b) Amount of overage or shortage
- (c) Explanation of the cause of the overage/shortage
- (d) Documentation used to identify the error
- (e) Recovery attempts
- (f) Name of person reporting the discrepancy
- (g) Name of person approving the report and the date approved

The supervisor shall initial the report prior to submission to the Commander for final review.

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1008.8 SECURE BANKING OF INMATE FUNDS

All monies collected by custody personnel shall be secured daily in an officially designated and secure place, and verified by a supervisor.

Counseling Services

1009.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for providing counseling and crisis intervention services to inmates.

1009.2 POLICY

This office will provide counseling and crisis intervention services to any inmate who either requests services or is determined by a health provider to be in need of counseling or crisis intervention services. These services may be provided by:

- (a) Medical/mental health staff assigned to the facility.
- (b) Faith-based counseling by the chaplain or religious volunteers (see the Religious Programs Policy).
- (c) Deputies assigned to the facility who have specific training and expertise in this area.

The Jail Commander shall coordinate with the Responsible Physician to develop and confidentially maintain records of counseling and crisis intervention services provided to inmates and to ensure that those records are retained in accordance with established records retention schedules.

The Jail Commander shall ensure that request forms are available and provided to inmates who request counseling services. All inmate requests for counseling shall be forwarded to Medical Personnel. If an inmate displays behavior indicating a need for counseling or crisis intervention services, the facility employee shall notify Medical Personnel and the Shift Supervisor. The Medical Personnel shall assess the need and area of counseling and make a reasonable effort to provide the inmate with the requested counseling as soon as reasonably practicable with consideration given to facility security, scheduling and available resources. Inmates who are victims of a sexual abuse or harassment incident will be informed of the availability and continuity of counseling (28 CFR 115.82; 28 CFR 115.83).

1009.3 NON-CRISIS COUNSELING

The Office shall, when reasonably practicable, make counseling services available to assist inmates who are being released into the community.

Inmate Exercise and Recreation

1010.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures ensuring that the Kings County Sheriff's Office facility will have sufficiently scheduled exercise and recreation periods and sufficient space for these activities, as required by law.

1010.1.1 DEFINITIONS

Definitions related to this policy include:

Exercise - The physical exertion of large muscle groups.

Recreation - Activities that may include table games, watching television or socializing with other individuals.

1010.2 POLICY

It is the policy of this office to provide inmates with a minimum of three hours of access to exercise opportunities and equipment and recreation activities over a period of seven days in accordance with Title 15 CCR. The Jail Commander or the authorized designee shall be responsible for ensuring there is sufficient secure space allocated for physical exercise and recreation outside the cell and adjacent dayroom areas and that a schedule is developed to ensure accessibility to both activities for all inmates (15 CCR § 1065).

1010.3 ACCESS TO EXERCISE

Inmates shall have access to exercise opportunities and equipment, including access to physical exercise outside the cell and adjacent dayroom areas, and the opportunity to exercise outdoors when weather permits.

The Detentions Technician shall use the approved daily log sheet to document when inmates of like classification status are scheduled to exercise each day, record the exercise of an inmate or that an inmate has declined outside exercise.

Daily log sheets should be collected monthly and forwarded to the Training Sergeant. Log sheets shall be maintained in accordance with established records retention schedules.

1010.4 ACCESS TO RECREATION

Each inmate shall have access to recreational (leisure-time) activities outside the cell and adjacent dayroom areas a minimum of five days per week. The length of time will be determined by the inmate's classification status, security concerns and operational schedules that preclude recreation during a period of time (e.g., meal times, searches, lockdown or court). The staff should ensure that the maximum time possible is provided to the inmates for this purpose.

Televisions, newspapers, games and other items may also be made available to enhance recreation time. Consideration will be given to the passive or active recreational needs of older inmates and inmates with disabilities.

Inmate Exercise and Recreation

Inmates in segregation shall receive a minimum of one half hour a day, five days a week, of exercise outside their cells, unless security or safety considerations dictate otherwise.

1010.4.1 USE OF THE INMATE WELFARE FUND

Monies derived from the Inmate Welfare Fund may be used to purchase and maintain recreational equipment and supplies.

1010.5 SECURITY AND SUPERVISION

The Detention Technician supervising the inmates during exercise and recreation time shall document when each inmate has the opportunity to exercise or recreate, and when each inmate actually participates.

Staff shall be responsible for inspecting exercise and recreational equipment to ensure it appears safe for use. Broken equipment or equipment that is in an unsafe condition shall not be used. Inmates will not be permitted to use equipment without supervision. All equipment shall be accounted for before inmates are returned to their housing unit.

The supervising staff may terminate the exercise or recreation period and escort back to the housing unit any inmate who continues to act in an aggressive or disorderly manner after being ordered to stop by the staff. Whenever an exercise or recreation period is involuntarily terminated, the staff will document the incident and rationale for terminating the exercise period. The Shift Supervisor will determine whether disciplinary action is warranted.

1010.6 EXERCISE SPACE

Sufficient outdoor and covered/enclosed exercise areas, as specified by federal, state and/or local laws or requirements, should be provided. Use of outdoor exercise is preferred but weather conditions may require the use of covered/enclosed space. Day room space is not considered exercise space.

Inmates on segregation status shall have access to the same recreational facilities as other inmates unless security or safety considerations dictate otherwise. When inmates on segregation status are excluded from use of regular recreation facilities, the alternative area for exercise used shall be documented.

1010.7 INABILITY TO MEET REQUIREMENTS

In the event that the inmate population exceeds the ability of the facility to meet the exercise and recreation requirements, the facility should notify the governing body about the deficiency in space for exercise, that it may violate the law and/or the requirements, and request funds to remedy the situation. The facility should document all action taken to try to remedy the situation, including funding requests, population reduction requests and all responses to those requests.

Commissary Services

1011.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a commissary program that will give inmates the opportunity to purchase specific items that are not provided to them while in custody.

1011.2 POLICY

It is the policy of this office to provide commissary services so that inmates who are not on disciplinary restriction and who have funds posted to their inmate accounts may purchase items approved by the Jail Commander (Penal Code § 4025).

1011.3 COMMISSARY MANAGER RESPONSIBILITIES

The Jail Commander shall be responsible for designating a qualified person to act as the Accounting & Purchasing Technician. High-security items shall be identified, stored and inventoried as such. The Accounting & Purchasing Technician shall be responsible for the accounting and general operation of the commissary, which shall include, but is not limited to:

- Maintaining current rules, regulations and policies of the commissary and ensuring compliance by commissary staff.
- Processing orders in a timely manner.
- Performing weekly audits
- Ensuring that all inmates who are approved to purchase commissary items are provided with a printed list of items that are available.

1011.4 COMMISSARY ACCOUNTING

The Shift Supervisor shall be responsible for ensuring that all inmates who have commissary privileges have the opportunity to order and receive commissary items in a timely manner.

All inmates shall be afforded the opportunity to review an accounting of their money held in their account, to include deposits, debits and commissary goods purchased and received. Any discrepancy of the inmate's funds shall be immediately reported to the Accounting & Purchasing Technician. If the Accounting & Purchasing Technician and the involved inmate cannot settle the discrepancy, the Jail Commander shall be notified and the Jail Commander will resolve the discrepancy.

1011.5 INMATE WELFARE PACKS

The Jail Commander or the authorized designee shall monitor the provision of welfare packs to indigent inmates. Welfare packs shall include, but not be limited to:

- (a) Two postage-paid envelopes and paper letters each week to permit correspondence with family members and friends.

Commissary Services

- (b) Personal hygiene items, including toothbrush, toothpaste, soap, deodorant and other supplies deemed to be appropriate for indigent inmates.

The Sheriff may expend money from the Inmate Welfare Fund to provide indigent inmates with essential clothing and limited transportation expenses upon release (Penal Code § 4025(i)).

1011.6 ANNUAL AUDIT OF THE COMMISSARY

The Accounting & Purchasing Technician shall ensure that an annual audit of the commissary operation is conducted by a certified auditor who is recognized by the Office as an authorized financial auditor. The written report prepared by the auditor shall be reviewed for accuracy by the Accounting & Purchasing Technician and provided to the Jail Commander.

All excess funds derived from the operation of the commissary shall be deposited into the Inmate Welfare Fund. An itemized report on expenditures shall be submitted annually to the Board of Supervisors (Penal Code § 4025 (e)).

Library Services

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the funding of library services and for providing inmates access to leisure and legal reading materials.

1012.2 RESPONSIBILITIES

The Jail Commander or the authorized designee is responsible for the administration of the library services and should appoint a qualified staff member to serve as librarian to run the daily library operation. The library service shall include access to legal reference materials, current information on community services and resources, and religious, educational, and recreational reading material (15 CCR 1064).

The librarian shall ensure that reading materials are provided to the general housing units and that any staff member assigned to assist with the delivery of library services has received the appropriate training in facility safety and security practices.

Access to the inmate library or to library materials shall be based upon inmate classification, housing location, and other factors that legitimately relate to the safety and security of the facility.

1012.3 LIBRARY FUNDING AND MAINTENANCE

The Jail Commander may use monies from the Inmate Welfare Fund to offset the cost of salaries and the services and supplies necessary to operate the library. The librarian may enlist the assistance of the local public library and other community organizations in order to maintain and update the library. Donated books and materials should be screened by the librarian for allowable content and safety prior to being distributed to inmates.

The Office may reject library materials that may compromise the safety, security, and discipline in the operation of this facility (see the Inmate Mail Policy for examples of materials that may be rejected).

The library shall be operated within the physical, budgetary, and security limits of the existing facility.

Books and other reading material should be provided in languages that reflect the population of the facility. The inmate services staff is responsible for the distribution of reading material.

1012.4 LEISURE LIBRARY MATERIALS

Each inmate is allowed to have no more than two books at any given time. Existing selections must be returned before new books may be selected by an inmate. Inmates who destroy or misuse books and library materials will be subject to disciplinary action and may be required to pay for the material. If staff believes the destruction was intentional, the matter may be referred for criminal prosecution.

Library Services

1012.5 ACCESS TO LEGAL PUBLICATIONS/LAW LIBRARY

All inmates shall have reasonable access to the legal system, which may include access to legal reference materials. Pro per inmates shall have priority regarding access to legal publications.

Legal information that may be provided through the library includes, but is not limited to:

- Criminal code sections.
- Copies of judicial forms for criminal cases, civil cases and general litigation.

Inmates desiring access to the library or legal publications shall submit a completed legal information request to the housing deputy. Inmates in disciplinary segregation shall have the same access to reading materials and legal materials as the general population unless the restriction is directed by the court.

The housing deputy will collect completed request forms. Upon receipt the deputy will time stamp, log and number the request and arrange for the inmate to have access to the library or to legal research services if they are available and do not conflict with scheduling and security concerns. Records of access to legal references and whether the requests were fulfilled or denied should be documented each day and maintained in the inmate's file in accordance with established records retention schedules.

Pro per inmates may keep minimal supplies for their case, such as paper, letters, reference materials, in their cells, providing it does not create a fire hazard.

1012.6 ALTERNATE MEANS OF ACCESS TO LEGAL PUBLICATIONS

Nothing in this policy shall confer a right to access to a law library, and unless it is specified by a court order, the Sheriff may provide access to the legal system by a variety of means that may include public or private legal research services.

1012.7 POLICY

It is the policy of this facility to operate a library service that provides leisure and legal reading materials to inmates.

Religious Programs

1013.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of inmates to exercise their religion and for evaluating accommodation requests for faith-based religious practices of inmates (15 CCR 1072).

1013.1.1 DEFINITIONS

Definitions related to this policy include:

Compelling government interest - A method for determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the Office, as opposed to something merely preferred, that can be furthered only by the policy under review.

Least restrictive means - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests. If the Office adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

Religious exercise - Any exercise of religion, whether or not it is compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the inmate's sincerely held religious beliefs.

Substantial burden - For the purposes of this policy, substantial burden means either of the following:

- A restriction or requirement imposed by the Office that places an inmate in a position of having to choose between following the precepts of his/her religion and forfeiting benefits otherwise generally available to other inmates, or having to abandon one of the precepts of his/her religion in order to receive a benefit.
- The Office puts considerable pressure on an inmate to substantially modify his/her behavior in violation of his/her beliefs.

1013.2 POLICY

It is the policy of this office to permit inmates to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate governmental objectives of the facility.

1013.3 CHAPLAIN

The Sheriff shall appoint an individual to serve as the chaplain for the facility. The chaplain shall be responsible for assisting the Jail Commander with supervising, planning, directing and coordinating religious programs. The chaplain may be responsible for duties including, but not limited to:

- (a) Coordinating religious services.

Religious Programs

- (b) Maintaining a list of accepted religious practices that have been approved by the Jail Commander and ensuring the current list is available to the staff.
- (c) Reviewing requests for religious accommodations.
- (d) Providing or arranging for grief counseling for inmates.
- (e) Distributing a variety of religious texts.
- (f) Developing and maintaining a liaison with a variety of religious faiths in the community.
- (g) Making reasonable efforts to enlist religious leaders from outside the community as necessary.
- (h) Seeking donations for religious programs from the community, when appropriate.
- (i) Working with inmate families when requested.
- (j) Periodically surveying the facility population to assist in determining whether current resources are appropriate for the inmate population.
- (k) Providing guidance to the Sheriff and the Jail Commander on issues related to religious observance.

1013.4 RELIGIOUS BELIEFS AND ACCOMMODATION REQUESTS

Inmates are not required to identify or express a religious belief. An inmate may designate any belief, or no belief, during the intake process and may change a designation at any time by declaring his/her religious belief in writing to the chaplain. Inmates seeking to engage in religious practices shall submit a request through the established process. Requests to engage in practices that are on the facility's list of accepted practices should be granted. Requests to engage in religious practices that are not on the approved list shall be processed as provided in this policy.

All requests for accommodation of religious practices shall be treated equally, regardless of the religion that is involved. Equal and consistent treatment of all religions and religious beliefs shall not always require that all inmates of the same religion receive the same accommodations. Requests for accommodation of religious practices shall be submitted to a supervisor. In determining whether to grant or deny a request for accommodation of a religious practice, the supervisor will work with the chaplain to determine the sincerity of the religious claim of an inmate. Requests should be denied only if the denial or reason for denial would further a compelling interest of the facility and is the least restrictive means of furthering that compelling interest.

A supervisor who does not grant the accommodation, either in part or in full, should promptly forward the request to the Jail Commander, who, after consultation with legal counsel as appropriate, should make a determination regarding the request within 10 days following the inmate's request.

A Jail Commander who does not grant an accommodation, either in part or in full, should forward the request to the Sheriff with the basis for the denial within 14 days of the inmate's original request

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being made. The Sheriff or the authorized designee will review the denial and respond to the requesting inmate as soon as reasonably practicable.

The Jail Commander and the Sheriff shall be informed of all approved accommodations. The chaplain should make any necessary notifications to staff as necessary to meet an approved accommodation.

All inmate requests for religious accommodations and related determinations shall be fully documented in the inmate's record.

1013.4.1 SUSPENSION OR REVOCATION OF ACCOMMODATIONS

In an emergency or extended disruption of normal facility operations, the Jail Commander may suspend any religious accommodation. The Jail Commander may also revoke or modify an approved religious accommodation if the accommodated inmate violates the terms or conditions under which the accommodation was granted.

1013.4.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS

Inmates may appeal the Jail Commander's denial, suspension or revocation of an accommodation through the inmate appeal process.

1013.5 DIETS AND MEAL SERVICE

The Jail Commander should provide inmates requesting a religious diet, including fasting and/or hour of dining, a reasonable and equitable opportunity to observe their religious dietary practice. This should be done within budgetary constraints and be consistent with the security and orderly management of the facility. The chaplain shall provide a list of inmates authorized to receive religious diets to the food services manager. The food services manager shall establish a process for managing religious meal accommodations.

1013.5.1 PROHIBITION ON USE OF ALCOHOL OR DRUGS FOR RELIGIOUS OBSERVANCE

Illegal substances are prohibited from use in religious services under RLUIPA. Otherwise legal substances, such as alcohol, may be permitted in religious rituals provided that:

- There is a recognized legitimate religious practice of which the consumption of a substance is an essential aspect of the religious practice.
- No reasonable alternative (such as non-alcoholic) means exists to exercise such an essential aspect of an inmate's faith and this imposes a substantial burden on an inmate's faith.
- The quantity of the substance consumed as part of the ritual will not intoxicate or impair the inmate.
- Adequate controls on the substance and limits upon the quantity are provided by the chaplain and approved by the Jail Commander.
- The activity will not otherwise disrupt facility safety or control interests.

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Limited exceptions may be made in writing by the Jail Commander based upon the chaplain's recommendation that there is significant compelling reason to permit ceremonial consumption.

1013.6 HAIRSTYLES AND GROOMING

Unless it is necessary for the health and sanitation of the facility, inmates who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair. To the extent reasonably practicable, alternative housing may be considered to accommodate the need for religious hair and grooming, while meeting the health and sanitation needs of the facility.

Any inmate whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

1013.7 RELIGIOUS TEXTS

Religious texts should be provided to the requesting inmate, if the texts available do not pose a threat to the safety, security and orderly management of the facility.

1013.8 GROUP RELIGIOUS SERVICES

Group religious services may be allowed after due consideration of the inmate's classification or other concerns that may adversely affect the order, safety and security of the facility.

Alternatives to attendance of group religious services may include, but are not limited to:

- The provision of religious books and reading materials.
- Access to religious counselors.
- Recorded religious media (e.g., DVDs, CDs, video tapes).

1013.9 RELIGIOUS SYMBOLS AND IMPLEMENTS

Religious symbols and implements used in the exercise of religion should generally be allowed unless the symbol or implement poses a threat to the safety and security of the facility. Alternatives to the provision of religious symbols and implements may be considered when security, safety or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

1013.10 RELIGIOUS GARMENTS AND CLOTHING

Inmates who practice a religion that requires particular modes of dress, garments, headgear, etc., other than standard-issue clothing, should generally be accommodated subject to the need to identify inmates and maintain security.

Religious Programs

1013.11 FAITH- AND MORALS-BASED COUNSELING

The Jail Commander shall be responsible for establishing a plan for inmates to receive faith- and morals-based counseling from the chaplain or religious volunteers. Inmates should be reasonably accommodated, including reasonable access to clergy members and spiritual advisers, volunteer religious organizations, faith- and morals-based programs and other secular volunteer programs.

No inmate shall be required to participate in any such program.

1013.12 SPACE AND EQUIPMENT FOR RELIGIOUS OBSERVANCES

The Jail Commander shall ensure that there are sufficient facilities and resources for the chaplain to serve the inmate population, including providing access to areas of the facility. Space for group worship will be dictated by the availability of secure areas and the classification status of the inmates to be served. All recognized religious groups should have equal access to the space, equipment and services which the facility normally provides for religious purposes.

1013.13 COMMUNITY RESOURCES

The chaplain may minister his/her particular faith and any other similar faiths to inmates but should also establish contacts with clergy of other faiths who can provide services to inmates of other religious denominations.

Whenever the chaplain is unable to represent or provide faith-based services to an inmate, a religious leader or other volunteer from the community, credentialed by the particular faith, should be sought to help provide services. All individuals providing faith-based services should be supervised by the chaplain. All efforts to contact faith-based representatives should be documented and retained in accordance with established records retention schedules.

Volunteers are another valuable resource that could be utilized extensively in the delivery of the religious program (see the Volunteer Program Policy). A volunteer could ensure that religious personnel who provide programming in the facility possess the required credentials and have the security clearance to enter the facility.

The chaplain, in cooperation with the Jail Commander or the authorized designee, shall develop and maintain communication with faith communities. The chaplain shall review and coordinate with the Jail Commander regarding offers to donate equipment or materials for use in the religious programs. All communication efforts and donations should be documented and retained in accordance with established records retention schedules.

1013.14 STAFF RESPONSIBILITIES

Members shall not show favoritism or preference to any religion and will not discriminate or retaliate against any inmate for participating or not participating in any religion or religious practice. Inmates are not required to participate in religious programs or activities.

Facility staff will not allow their personal religious beliefs to influence them in the daily management of the inmate population, particularly as it relates to religious practices.

Attachments

Incarcerated Relatives Close Associate Form.pdf



OFFICE OF
SHERIFF
COUNTY OF KINGS
DAVID ROBINSON, SHERIFF

MEMORANDUM

TO: Jail Commander

FROM: _____
(Supervisor Receiving Notification)

DATE: _____

RE: NOTIFICATION OF RELATIVE OR CLOSE ASSOCIATE INCARCERATED IN THE
KINGS COUNTY JAIL

TO BE COMPLETED BY STAFF MEMBER

STAFF'S NAME: _____ SIGNATURE: _____
(Print Neatly)

JOB CLASSIFICATION: _____ WORK ASSIGNMENT: _____

INMATE'S NAME: _____ INMATE NUMBER: _____

AREA INMATE IS HOUSED: _____

NATURE OF RELATIONSHIP (Include relationship, length of time known, etc.):

Do you believe this inmate's presence would conflict with your employment responsibilities?

YES: ____ NO: ____ If YES, in what way? _____

TO BE COMPLETED BY CUSTODY SUPERVISOR

Do you recommend the inmate be housed in another location? YES: ____ NO: ____

Do you recommend the staff be temporarily assigned to another area? YES: ____ NO: ____

Additional comments or information: _____

TO BE COMPLETED BY COMMANDER

Special instructions: _____

Jail Commander

Date

____ Place in employee file. (Sheriff's Office employees)

____ Scan and place in Training Manager file. (Volunteers and Contract Employees)

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